

# MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

## REGULAR MEETING OF

**JUNE 12, 1998**

(Published June 20, 1998,  
in Finance and Commerce)

Council Chamber

Minneapolis, Minnesota

June 12, 1998 – 9:30 a.m.

President Cherryhomes in the Chair.

Present – Council Members Colvin Roy,  
Herron, Mead, Minn, McDonald, Johnson,  
Thurber, Ostrow, Campbell, Biernat, Niland,  
President Cherryhomes.  
Absent – Goodman.

Campbell moved approval of the minutes of  
the special emergency meeting of May 21, the  
adjourned session held May 22, and the regular  
meeting of May 22, 1998. Seconded.

Adopted upon a voice vote.

Campbell moved referral of petitions and  
communications and reports of the City officers  
to proper Council committees and departments.  
Seconded.

Adopted upon a voice vote.

### **PETITIONS AND COMMUNICATIONS**

#### **COMMUNITY DEVELOPMENT (See Rep):**

COMMUNITY DEVELOPMENT AGENCY,  
MINNEAPOLIS (MCDA) (263820)

Lot Division & Land Sale: 120 W 28th St.

Walker Senior Housing Corp V Project  
(3535 Bryant Ave S): Resolution extending  
maturity date of Multifamily Revenue Note.

Phillips Neighborhood Early Learning  
Center (2430-18th Ave S): Appropriation of  
funds received by Little Earth Resident  
Association.

MAYOR (263821)

Family Housing Fund (McKnight),  
Minneapolis/St. Paul Board of Directors:  
Reappointment of Patricia Hanson.

#### **COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET:**

COMMUNITY DEVELOPMENT AGENCY,  
MINNEAPOLIS (MCDA) (263822)

Neighborhood Development Account:  
Status Report.

Neighborhood Economic Development  
Fund & Community Economic Development  
Fund: Status Report.

#### **COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET (See Rep):**

COMMUNITY DEVELOPMENT AGENCY,  
MINNEAPOLIS (MCDA) (263823)

Southeast Mpls Industrial (SEMI) Area:  
Modification No. 5 to SEMI Area  
Redevelopment Plan & SEMI Area Phase 5  
Tax Increment Finance Plan & Hazardous  
Substance Subdistrict to assist CSM  
w/expansion.

Northern Cap Manufacturing Co, Inc (2633  
Minnehaha Ave S): Final approval to issue up  
to \$1.2 million in taxable MCDA development  
revenue bonds through Common Bond Fund.

URAP Program Income: Appropriation of  
\$545,000 to fund projects from URAP loan  
payments & interest income.

Cedar Cultural Centre: Request for  
forgiveness of MCDA loans.

COORDINATOR (263824)

Hennepin Center for the Arts:

Authorization to amend Contract #8959.

NEIGHBORHOOD REVITALIZATION  
PROGRAM (NRP) (263825)

NRP Action Plan: Bryn Mawr  
neighborhood.

#### **INTERGOVERNMENTAL RELATIONS:**

LIAISON/FEDERAL, LOCAL AND STATE  
(263826)

Light Rail Transit: Status Report.

Congress: Anticipated summer activity.

**INTERGOVERNMENTAL RELATIONS**

**(See Rep):**

LIBRARY, MINNEAPOLIS PUBLIC  
(263827)

Community Right To Know Act: Grant  
local approval to Minn Laws 1998, Chap 367.

**PUBLIC SAFETY AND REGULATORY  
SERVICES:**

HEALTH AND FAMILY SUPPORT  
SERVICES (263828)

Seniors in Minneapolis - Contributions,  
Resources and Needs Forum: Final Work  
Group recommendations.

INSPECTIONS DEPARTMENT (263829)

Rental Licensing Fee Task Force:  
Charging statement.

**PUBLIC SAFETY AND REGULATORY  
SERVICES (See Rep):**

COORDINATOR (263830)

Fire Chief: Concur with Mayor Sayles  
Belton's nomination and approval by Executive  
Committee to appoint Rocco Forte for term  
beginning 7/1/98 and expiring 1/3/2000; with  
attachments.

INSPECTIONS DEPARTMENT (263831)

Property Tax Class 4(d): Ordinance  
amending Title 5, Chapter 91 of Building Code  
to implement an inspection fee for low income,  
rental housing property; with attachments.

Asbestos Survey Assessment: Waive  
assessment for property at 421-23 4th Av NE,  
payable on 1998 property taxes by Maguy Elie  
Farhart.

Raze Building: Approve owner request to  
raze 2807 Stevens Av.

Rental Dwelling Licenses: Deny license  
held by Carrie Schuett for 2724 17th Av S;  
Revoke license held by Rob Kavooosi for 2634  
Bryant Av N; Revoke license held by Troy  
Mathwig for 614-16 9th St S; Reinstate license  
for 1826 Chicago Av S held by Steve Frenz  
and Richard Pakonen.

LICENSES AND CONSUMER SERVICES  
(263832)

Licenses: Applications.

MAYOR (263833)

Civilian Police Review Authority: Approve  
Mayor's recommendation to reappoint Kenneth  
O Beck, 121 Washington Av S, for term to  
expire 6/30/2002; Approve Mayor's  
recommendation to appoint Daryl E Lynn, 3247  
Columbus Av S, as Chairperson, for term to  
expire 6/30/2000.

POLICE DEPARTMENT (263834)

Police Services to Public Housing  
Communities: Execute contract with  
Minneapolis Public Housing Authority for  
assignment of officers to provide community  
policing services for period 1/1/98 through  
12/31/98.

**PUBLIC SAFETY AND REGULATORY  
SERVICES and TRANSPORTATION &  
PUBLIC WORKS and WAYS &  
MEANS/BUDGET (See Rep):**

PUBLIC WORKS AND ENGINEERING  
(263835)

Fifth Precinct Building Project: Approve  
change orders for Sheehy Construction  
Company; Authorize increase contract.

**PUBLIC SAFETY AND REGULATORY  
SERVICES and WAYS & MEANS/  
BUDGET:**

HEALTH AND FAMILY SUPPORT  
SERVICES (263836)

Senior Coordinating Board: Status report  
in establishing Board.

**PUBLIC SAFETY AND REGULATORY  
SERVICES and WAYS & MEANS/  
BUDGET (See Rep):**

HEALTH AND FAMILY SUPPORT  
SERVICES (263837)

MinnesotaCare Outreach: Execute  
agreement with State of Minnesota to receive  
funds from grant program to continue services  
at Public Schools' Welcome Center sites for  
period 7/1/98 through 6/30/99; Approve  
appropriation.

LICENSES AND CONSUMER SERVICES  
(263838)

Lead-Based Paint Hazard Reduction  
Project: Execute agreement with Darryl  
Thibodeaux to provide dwelling units to be  
used as safe housing for families displaced by  
lead hazard reduction activities for period  
7/1/98 through 6/30/99; Authorize lease to be  
extended up to 12 months beyond first year.

POLICE DEPARTMENT (263839)

Minnesota Auto Theft Prevention Program:  
Accept grant award for auto theft crime  
prevention; Approve appropriation.

**TRANSPORTATION AND PUBLIC WORKS:**  
PUBLIC WORKS AND ENGINEERING  
(263840)

Report on Storm Event of May 15, 1998.

**TRANSPORTATION AND PUBLIC WORKS**

**(See Rep):**

AQUATENNIAL (263841)

1998 Festival: Approval blanket permit application and schedule of events/locations.

PLANNING COMMISSION/DEPARTMENT (263842)

Airport: Proposed provisions of contract with Metropolitan Airports Commission prohibiting third parallel runway, restrictions on use of proposed north/south runway and acquisition of Bureau of Mines property.

Airport: Comments on Final Environmental Impact Statement for the Minneapolis-St Paul Dual Track Airport Planning Process.

PUBLIC WORKS AND ENGINEERING (263843)

Nicollet Av Streetscape Revitalization Project: Plans & special provisions for lighting system and authorize solicit bids.

Special Boulevard Permits: Recommend denial of permit for Robert G. Clements, 201 2nd Av NE; Recommend approval of permit for Michael Fox, 1818 Park Av S and David Engleson, 5th St between Royalston & 7th St N.

1998 Street Renovation Program (Field-Regina, E 42nd St, Stevens Av S & 2nd Av S): Designate project, cost estimate, uniform assessment rates, assessment procedures and set public hearing.

Sanitary Sewer Backwater Valve Reimbursement Program: Establish guidelines.

Flood Damage Reduction Grant: Approve resolution authorizing grant agreement with Minnesota Department of Natural Resources to receive funds for flood basin construction.

Lease of Parking Space: Renew lease agreement with University of Minnesota allowing a private parking lot within the Beacon Street right-of-way.

Acceptance of Highway Turnback Deed: Approve resolution accepting a Quit Claim Deed from the State conveying back land at 3rd Av & 7th St N not needed for I-394 construction.

Kenilworth Trail Project: Update on project and agreement to use Hennepin County Regional Rail Authority property.

PUBLIC WORKS AND ENGINEERING (263844)

Public Works Facilities Plan Property Acquisition: Acquire property at 198 Aldrich N to be used as interim location for Street Operations Division.

**TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET**

**(See Rep):**

ATTORNEY (263845)

Settlement: Special assessment appeal of DeLaSalle High School.

PUBLIC WORKS AND ENGINEERING (263846)

Bicycle Lanes: Construction agreement with Metropolitan Council for lanes on Marquette & 2nd Aves between 12th St & Washington Av., with funding reimbursement.

Downtown Traffic Management Organization (TMO) Agreement: Amend agreement with MnDOT adding additional federal funds.

Public Works Facilities - Phase I: Change order to contract with Arkay Construction for police garage, radio shop and lands & buildings shops.

Public Works Facilities - Phase II: Decrease contract with Architectural Alliance.

PURCHASING (263847)

Bids: Accept OP #4880, low bid of Lametti & Sons, Inc. for water main pipe for the Water Department; OP #4874, low bid of Cormar Contracting, Inc. for cleaning & lining of cast iron water mains for the Water Department; OP #4872, only bid of Schlumberger Industries, Inc. for rebuilt meter interface units for the Water Department; OP #4875, low bid of Lino Lakes Landscaping, Inc. for turf establishment at various locations for the Public Works Department.

WATER DEPARTMENT (263848)

Water Study: Contract with Carollo Engineers for laboratory and engineering services for the Information Collection Rule Study.

**WAYS AND MEANS BUDGET:**

HUMAN RESOURCES (263849)

1998 Affirmative Action Goals.

INFORMATION & TECHNOLOGY SERVICES (263850)

1998 Operating Plan, Part II.

**WAYS AND MEANS BUDGET (See Rep):**

ATTORNEY (263851)

Settlements: Claims of Michael McGuire, Cindy Vobeyda, Curtis Graff and Patrick Foslien.

**COORDINATOR (263852)**

1998 Charitable Campaign: Approve participation of seven fundraising organizations.

Phillips Weed & Seed Grant: Execute Memorandum of Understanding with Park Board for park police funding.

**COUNCIL MEMBER BIERNAT (263853)**

Council Vice President's Administrative Aide Position: Request fourth step rate of pay for Givonna Reed.

**FINANCE DEPARTMENT (263854)**

Overhead Rate Analysis and Cost Accounting Training: Issue request for proposals for central service cost allocation plan and cost accounting practices.

Utility Bill Insert: Approve inserts on National Night Out and summer environment tips.

**HEALTH AND FAMILY SUPPORT SERVICES (263855)**

Parents in Community Action (PICA) Head Start: Issue fund availability notice to continue services to low-income families.

Dislocated Worker Services: Accept state and federal funds and issue fund availability notices to various service providers.

Adult Employment Services: Execute contract with Minnesota Department of Economic Security to receive Job Training Partnership Act funding and issue fund availability notices/execute contract with various service providers.

School-To-Career Services for At-Risk Youth: Accept Minnesota Youth Program and Job Training Partnership Act funds and issue fund availability notices to various providers.

Summer Youth Employment & Training Program: Accept Job Training Partnership Act funds and issue fund availability notice to Loring Nicollet Bethlehem Community Centers, Inc.

Summer Youth Employment & Training Program: Issue fund availability notice to Minnesota Department of Economic Security for intake/placement, monitoring and administrative services for program.

Northside Workforce Center Resource Room: Issue fund availability notice to HIRED for center staffing.

**HEALTH AND FAMILY SUPPORT SERVICES (263856)**

School-to-Career Summer Internships: Issue fund availability notice to Minneapolis School District #1 to coordinate program.

Day Care Services: Issue fund availability notices to Greater Minneapolis Day Care Association for day care services and facility improvements.

**HUMAN RESOURCES (263857)**

Exempt Employees: Set hearing for ordinance repealing language related to overtime pay for exempt employees; Approve resolution authorizing the Human Resources Department to promulgate rules for implementing policy complying to Fair Labor Standards Act.

Reclassifications: Salary adjustments for Director, Equipment Services; Manager, Lead Program; and Program Aide II.

**NEIGHBORHOOD REVITALIZATION PROGRAM (NRP) (263858)**

Request for Proposals Requirements: Request waiver of process for selection of contractor to implement NRP Project Data Collection and Entry Project.

**PUBLIC WORKS AND ENGINEERING (263859)**

1999 Nicollet Mall Operating Budget: Approval of budget and direction to prepare assessment roll.

**ZONING AND PLANNING:**

**PLANNING COMMISSION/DEPARTMENT (263860)**

Minneapolis Plan: Draft excerpts re Marketplaces & City form, w/maps.

**ZONING AND PLANNING (See Rep):**

**CITY CLERK/SPECIAL PERMITS (263861)**

12th St S, 333 (Charles Crowley) temporarily relocate daycare facility; 17th St N, 88 (Thomas J Green) inflatables for Basilica Block Party; Excelsior Blvd; 3033 (Lanmark Inc) signs; Girard Av N, 1619 (Visitation Monastery of Mpls) expand single family residence.

HERITAGE PRESERVATION  
COMMISSION (263862)

Rottlund Townhome Development (Downriver Site), 301-330 River St: Chris Steller & Dennis Nustad: Appeal from decision of HPC to approve a building permit with conditions. Planning Dept: Transmittal of appeal w/attachments, maps, site plans, drawings; Report on Density of proposed site & transfer of units on riverfront. HPC: Staff investigation, report, findings Saul Carliner & Jonathan Specktor: Comments supporting appeal. Rottlund Homes: Sequence of drawings as proposal developed, w/summary of meetings.

INSPECTIONS DEPARTMENT (263863)

Brave New Workshop: Transportation Management Plan developed by SRF Consulting Group Inc.

MAYOR (263864)

Planning Commission: Mayor: Reappoint Timothy Baylor & Judith Martin. Judith Martin: Comments.

PLANNING COMMISSION/DEPARTMENT  
(263865)

Cash-N-Pawn, 2726 E Lake St (C-1887): Planning Dept: Transmittal of appeal of Cash-N-Pawn & Hotel Furniture Liquidators from decision of Planning Commission to deny application for a conditional use permit to allow a pawn shop; Minutes; Staff reports; Notices. John Paul Martin, atty for Hotel Furniture Liquidators: Documents relating to (1) Hotel Furniture Liquidators application & subsequent grant of conditional use permit in 1993, (2) Cash-N-Pawn application for conditional use permit for Podany's site in 1997, and (3) Cash-N-Pawn application for conditional use permit for Hotel Furniture Liquidators' site in 1998. Maslon Edelman Borman & Brand, atty for Cash-N-Pawn: Letter to Planning Commissioner reviewing background & history of application for conditional use permit & requesting approval; News article on new style of pawn shops; Letter of Hopkins Police Dept; Planning Commission marked agenda, minutes & staff report; Letters of Zoning Administrator & Inspector Craig Eliason refusing application; List of nearby property owners to whom notice might be sent; Drawings and photos; Yellow Pages relating to Podany's Office Furniture; Affidavit of Jack Hartsoe; Photos of 2726 E Lake St building.

PLANNING COMMISSION/DEPARTMENT  
(263866)

Tobacco Moratorium: Background on Ordinance amending Title 21 of the Mpls Code of Ordinance relating to Interim Ordinances, adding new Chap 581 providing for moratorium on establishment or expansion of tobacco shops & tobacco-related establishments outside downtown central business districts.

Heritage Preservation Commission: Appoint Robt Roscoe, Tom Holman & Kelly Lindquist.

Vacation: Amend Resl 97R-178 vacating alley bounded by 16th Av N, 15th Av N, Washington Av N & 2nd St N.

**MOTIONS (See Rep):**

ATTORNEY (263867)

Workers Compensation: Payments to City employees.

**FILED:**

CITY CLERK/SPECIAL PERMITS  
(263868)

2nd Av S, 115 (Top Line Advertising) sign; 3rd St N, 24 (Minnesota Center for Book Arts) sidewalk activities; 5th St NE, 2547 (Universal Signs) sign; 42nd Av S, 3738, 3745, 3747, 3753, 3800 & 3809 (Carol Estocko) street fair type event; Broadway W, 700 (Leroy Signs) sign; Broadway W, 818 (Kaufman Sign Co) sign; Glenwood Av, 1312 (Arrow Sign) sign; Hennepin Av, 910 (Ronda Carlson) tables on sidewalk; Humboldt Av N, 2900, 2907, 2914, 2918, 2923, 2930, 2931, 2934, 2935, 2946, 2947, 2948 & 2957 (Jordan Area Community Council) move house; Industrial Blvd, 430 (Shawn Griffin) sign; Irving Av N, 2934, 2942, 2946 & 2954 (Jordan Area Community Council) move houses; Loring Park area (John C Block) horse & carriage; Loring Park (Ashley Ann Rukes) horse; University Av NE, 2300 (Mario Pierzchalski) tent.

FINANCE DEPARTMENT (263869)

Investment Management System & Reconciliation Report thru April 30, 1998.

FINANCE DEPARTMENT (263870)

Schedule of Self-supporting Revenue Bonds & Schedule of General Obligation Bonded Debt for 5/31/98.

NORTHERN STATES POWER (NSP)  
(263871)

Utility Poles: Authorize placement of poles at various locations.

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**REPORTS OF  
STANDING COMMITTEES**

The **COMMUNITY DEVELOPMENT** Committee submitted the following reports:

**Comm Dev** – Your Committee, having under consideration the division of the lot at 120 W 28th St, and having conducted a public hearing thereon, now recommends passage of the accompanying resolution approving the division, waiving the requirement of a subdivision plat and directing that a copy of the resolution be attached to the deeds conveying the subdivided parcels.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 98R-192  
By Niland**

**Approving the subdivision of a lot at 120 West 28th Street.**

Whereas, the Minneapolis Community Development Agency (MCDA) has requested that a parcel of land located at 120 W 28th Street and legally described as the West 33 feet of East 99 feet of Lots 14 and 15, Block 17, J.T. Blaisdell's Revised Addition to Minneapolis, be subdivided as follows:

**Parcel A:** The West 16.5 feet of the West 33.0 feet of the East 99.0 feet of Lots 14 and 15 Block 17, J.T. Blaisdell's Revised Addition to Minneapolis;

**Parcel B:** That part of the West 33.0 feet of the East 99.0 feet of Lots 14 and 15, Block 17, J.T. Blaisdell's Revised Addition to Minneapolis, according to the recorded plat thereof and situate in Hennepin County, Minnesota lying east of the west 16.5 feet thereof; and

Whereas, the MCDA intends to convey the subdivided parcels listed above to the owners of adjacent properties with the following parcels:

**Parcel A** (122-28th Street W): East 33 feet of the West 66 feet of Lots 14 and 15, Block 17, J.T. Blaisdell's Revised Addition to Minneapolis;

**Parcel B** (118-28th Street W): West 33 feet of the East 66 feet of Lots 14 and 15, Block 17, J.T. Blaisdell's Revised Addition to Minneapolis; and

Whereas, the proposed subdivision conforms with Minnesota Statutes Section 462.358 and Land Subdivision Regulations adopted by the Minneapolis City Council on July 14, 1995; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on May 21, 1998, a public hearing on said subdivision and proposed sale was duly held in a joint meeting of the Community Development Committee of the City Council and the Operating Committee of the MCDA at 9:30 a.m., June 1, 1998, in Room 319, Minneapolis City Hall, 350 South 5th Street, in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the division of the above-described property be approved and the requirement of a subdivision plat be waived.

Be It Further Resolved that a certified copy of this resolution shall be attached to the deeds conveying the subdivided parcels.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998. J. Cherryhomes, President of Council.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**Comm Dev** – Your Committee recommends concurrence with the Mayor in her recommendation to reappoint Patricia Hanson, Senior Vice President of Community Development for Norwest Bank, to the Family Housing Fund (McKnight), Minneapolis/St. Paul Board of Directors, for a term which expires at the annual meeting in the Year 2001.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**Comm Dev** – Your Committee, having under consideration extension of the City of Minneapolis Multifamily Housing Revenue Note for the Walker Senior Housing Project at 3535 Bryant Ave S, now recommends passage of the accompanying resolution authorizing the extension of the maturity and principal payments of said Note for the Walker Senior Housing Corporation V Project until January 1, 2001 (Petr No 263820).

Your Committee further recommends summary publication of the above-entitled resolution.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 98R-193, entitled “Authorizing the extension of the maturity and principal payments of the City of Minneapolis, Minnesota Multifamily Housing Revenue Note (Walker Senior Housing Corporation V Project), Series 1988,” to authorize the extension of the maturity and principal payments of notes issued by the City pursuant to Minnesota Statutes, Chapter 462A and 462C, as amended, and Chapters 247 and 420 of the Minneapolis Code of Ordinances, was passed June 12, 1998 by the City Council and approved June 18, 1998 by the Mayor. It gives approval to authorize the execution of documents and notes which are not general obligation bonds. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

**The following is the complete text of the unpublished summarized resolution.**

**RESOLUTION 98R-193**  
**By Niland**

**Authorizing the extension of the maturity and principal payments of the City of Minneapolis, Minnesota Multifamily Housing Revenue Note (Walker Senior Housing Corporation V Project), Series 1988.**

Whereas, the City of Minneapolis (the “City”) is a public body corporate and politic

and a political subdivision of the State of Minnesota; and

Whereas, pursuant to the laws of the State of Minnesota, particularly Minnesota Statutes, Chapters 462A and 462C, as amended, and Chapters 247 and 420 of the Minneapolis Code of Ordinances (the “Acts”), the City is authorized to carry out the public purposes described therein and contemplated thereby by issuing its revenue bonds to defray, in whole or in part, the development costs of a facility to be used primarily for rental housing purposes, and by entering into any agreements made in connection therewith and pledging them as security for the payment of the principal of and interest on any such revenue bonds; and

Whereas, to provide a means of financing the cost of a rental housing facility that will provide decent, safe and sanitary housing for elderly income residents of the City at rents they can afford, which constitutes a valid public purpose for the issuance of revenue bonds under the Acts, the City developed a program (the “Program”) with respect to the issuance by the City of its revenue bonds pursuant to the Acts to finance the acquisition and renovation of a building for housing purposes consisting of 107 apartments at 3535 Bryant Avenue South in the City of Minneapolis (the “Project”); and

Whereas, the City Council of the City developed a Housing Plan pursuant to and in conformity with the Acts and adopted the Housing Plan after a public hearing thereon after one publication of notice in a newspaper circulating generally in the City; and

Whereas, the City issued, as of July 1, 1988, \$300,000 Multifamily Housing Revenue Note (Walker Senior Housing Corporation V Project), Series 1988 (the “Subordinated Notes”); and

Whereas, the City entered into a Loan Agreement with Walker Senior Housing Corporation V (the “Borrower”) with respect to, among other things, the proceeds of the Subordinated Notes; and

Whereas, the Borrower, the Holder of the Subordinated Notes and U.S. Bank Trust National Association, as Trustee under the Indenture of Trust, dated as of July 1, 1988 (the “Indenture”) between the City and the Trustee, have entered into a Notice and Consent requesting the extension of the maturity of the Subordinated Notes and an Amendment to the Loan Agreement to provide for such extension;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council of the City, at the request of the Borrower has agreed to:

(1) Extend the maturity and principal payments on its Multifamily Housing Revenue Note (Walker Senior Housing Corporation V Project), Series 1988 (the "Subordinated Note") pursuant to this resolution; and

(2) Amend the provisions of the Loan Agreement by and between the Borrower and the City (the "Loan Agreement") to provide for such extension.

Be It Further Resolved that the Subordinated Notes shall remain special obligations of the City payable solely from the revenues derived from the Loan Agreement. The Subordinated Notes do not constitute an indebtedness, liability, general or moral obligation (except to the extent of revenues derived from the Loan Agreement) or a pledge of the faith and credit or any taxing power of the City, the State of Minnesota, or any political subdivision thereof. The City Council of the City hereby authorizes and directs the Mayor of the City (the "Mayor") and the Finance Officer of the City (the "Finance Officer") to execute, and the City Clerk of the City (the "City Clerk") to attest, on behalf of and under the corporate seal of the City, and to deliver, the Amendment to the Loan Agreement; when executed and delivered as authorized herein, the Amendment to the Loan Agreement shall be in full force and effect from the date of execution and delivery thereof. The Amendment to the Loan Agreement shall be substantially in the form on file with the City on the date hereof, and is hereby approved, with such necessary variations, omissions and insertions as do not materially affect the substance of the transaction and as the Mayor and Finance Officer, in their discretion, shall determine; provided that the execution thereof by the Mayor and Finance Officer shall be conclusive evidence of such determination.

Be It Further Resolved that the same officers are authorized and directed to execute the Subordinated Notes, and hereby provides that the Subordinated Notes shall set forth the terms and conditions, covenants, rights, obligations, duties, and agreements of the Holder and the City; the Subordinated Notes shall be substantially in the form on file with the City on the date hereof, and are hereby

approved, with such necessary and appropriate variations, omissions, and insertions as do not materially affect the substance of the transaction and as the Mayor and Finance Officer, in their discretion, shall determine; provided that the execution thereof by the Mayor and Finance Officer shall be conclusive evidence of such determination.

Be It Further Resolved that all covenants, stipulations, obligations, representations, and agreements of the City contained in this resolution or contained in the Amendment to the Loan Agreement or other documents referred to above shall be deemed to be the covenants, stipulations, obligations, representations, and agreements of the City to the full extent authorized or permitted by law, and all such covenants, stipulations, obligations, representations, and agreements shall be binding upon the City. Except as otherwise provided in this resolution, all rights, powers, and privileges conferred, and duties and liabilities imposed upon the Mayor or the City Council by the provisions of this resolution or of the Loan Agreement, as amended, or other documents referred to above shall be exercised or performed by such members, officers, board, body, or agency as may be required or authorized by law to exercise such powers and to perform such duties. No covenant, stipulation, obligation, representation, or agreement herein contained or contained in the Loan Agreement or other documents referred to above shall be deemed to be a covenant, stipulation, obligation, representation, or agreement of any officer, agent, or employee of the City in that person's individual capacity, and neither the members of the City Council of the City nor any officer or employee executing the Subordinated Notes or the Amendment to the Loan Agreement shall be liable personally on the Subordinated Notes or by subject to any representation, personal liability or accountability by reason of the issuance thereof. No provision, representation, covenant or agreement contained in the Subordinated Notes or the Loan Agreement, as amended, or in any other document related to the Subordinated Notes, and no obligation therein or herein imposed upon the City or the breach thereof, shall constitute or give rise to a general obligation of the City or any charge upon its or their general credit or taxing powers. In making the agreements, provisions,



covenants and representations set forth in the Loan Agreement, Subordinated Notes or in any other document related thereto, the City has not obligated itself to pay or remit any funds or revenues, other than as described in the Loan Agreement or the Indenture.

Be It Further Resolved that the City Council of the City, officers of the City, and attorneys and other agents or employees of the City are hereby authorized to do all acts and things required of them by or in connection with this resolution and the other documents referred to above for the full, punctual, and complete performance of all the terms, covenants, and agreements contained in the documents referred to above, and this resolution.

Be It Further Resolved that the Mayor and Finance Officer are authorized and directed to execute and deliver any and all certificates, agreements or other documents which are required by the Indenture, the Loan Agreement, or any other certificates or documents which are deemed necessary by bond counsel to evidence the validity or enforceability of the Subordinated Notes, the Indenture, or the other documents referred to in this resolution, or to evidence compliance with Section 148 of the Internal Revenue Code of 1986, as amended; and the Mayor and the Finance Officer are hereby designated as officers of the City for the purposes of executing any Certificate of the city; and all such agreements or representations when made shall be deemed to be agreements or representations, as the case may be, of the City.

Be It Further Resolved that all costs incurred by the City in connection with carrying out the intent of this resolution shall be paid by the Borrower or reimbursed by the Borrower to the City.

Be It Further Resolved that this resolution shall be in full force and effect from and after its passage, approval by the Mayor, and publication.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998. J. Cherryhomes, President of Council.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**Comm Dev** – Your Committee, having under consideration the receipt of funds held by

the Little Earth Resident Association for construction and renovation of the Holy Rosary School for conversion to the Phillips Neighborhood Early Learning Center at 2430 – 18th Ave S, now recommends passage of the accompanying resolution increasing the appropriation in Fund GEN (MCDA General) by \$2,528,203 and increasing Fund GEN revenue by \$2,528,203.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

## **RESOLUTION 98R-194**

**By Niland**

### **Amending The 1998 Minneapolis Community Development Agency Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in Fund GEN – MCDA General by \$2,528,203 and increasing the Fund GEN – MCDA General revenue (3755-04 -Miscellaneous Revenue) estimate by \$2,528,203.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998. J. Cherryhomes, President of Council.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **COMMUNITY DEVELOPMENT, TRANSPORTATION & PUBLIC WORKS** and **WAYS & MEANS/BUDGET** Committees submitted the following report:

#### **Comm Dev, T&PW & W&M/Budget –**

Your Committee recommends that the existing Neighborhood Revitalization Program (NRP) policy which restricts the amount of NRP funds that neighborhoods can dedicate for street lighting projects be rescinded.

Your Committee further recommends that NRP funds which are dedicated by neighborhoods in their NRP Action Plans for

street lighting projects be considered an investment in housing.

Niland moved that the report be postponed.  
Seconded.

Adopted upon a voice vote.

The **COMMUNITY DEVELOPMENT** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

**Comm Dev & W&M/Budget** – Your Committee, having under consideration Modification No. 5 to the Southeast Minneapolis Industrial (SEMI) Area Redevelopment Plan and SEMI Phase 5 Tax Increment Finance Plan, including the SEMI Phase 5 Hazardous Substance Subdistrict Plan, which will allow the Minneapolis Community Development Agency to acquire the “Former Abrams Metals” site (located on the southwest quadrant formed by the intersection of Kasota and Elm Sts) and sell it to CSM Investors, Inc, who propose to demolish the existing blighted former grain mill and site of Abrams Metals and combine that site with a surrounding property they acquired for their Phase One Kasota Business Center (Petr No 263823), and having conducted a public hearing thereon, now recommends passage of the accompanying resolution adopting said Modification.

Your Committee further recommends that this action be referred to the Board of Commissioners of the Minneapolis Community Development Agency.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 98R-195**  
**By Niland and Campbell**

**Adopting Modification No 5 to the Southeast Minneapolis Industrial (SEMI) Area Redevelopment Plan and the SEMI Phase 5 Tax Increment Finance Plan, including the SEMI Phase 5 Hazardous Substance Subdistrict Plan.**

Resolved by The City Council of The City of Minneapolis:

**Section 1. Recitals.**

1.01. That the Minneapolis Community Development Agency (the “Agency”) is the Housing and Redevelopment Authority of and for the City of Minneapolis (the “City”) with the authority to propose and implement redevelopment projects and tax increment financing districts, all pursuant to Minnesota Statutes, Sections 469.001 through 469.047, and 469.174 through 469.179, as amended; Laws of Minnesota 1971, Chapter 677, as amended; Laws of Minnesota 1980, Chapter 595, as amended; and Minneapolis Code of Ordinances, Chapter 422, as amended (collectively, the “Laws”).

1.02. That by Resolution No 95R-199 duly adopted on June 30, 1995, the City approved the Southeast Minneapolis Industrial (SEMI) Area Redevelopment Plan and the SEMI Phase 1 Tax Increment Finance (“TIF”) Plan, which authorized the creation of a new redevelopment project (the “SEMI Project”) and a new tax increment financing district, designated property to be acquired, and included a preliminary project budget, all pursuant to and in accordance with the Laws.

1.03. That by Resolution No 96R-046 duly adopted on February 23, 1996, the City approved Modification No 1 to the SEMI Area Redevelopment Plan and the SEMI Area Phase 2 TIF Plan, which expanded the redevelopment project area, created a new tax increment financing district, identified property that may be acquired, and included a preliminary budget, all pursuant to and in accordance with the Laws.

1.04. That by Resolution No 96R-302 duly adopted on October 25, 1996, the City approved Modification No 2 to the SEMI Area Redevelopment Plan and Modification No 1 to the SEMI Phase 2 TIF Plan, including project costs, adoption of the hazardous substance subdistrict plan relating thereto, and the establishment of a budget for hazardous substance subdistrict expenditures, all pursuant to and in accordance with the Laws.

1.05. That by Resolution No 96R-347 duly adopted on November 22, 1996, the City approved Modification No 3 to the SEMI Area Redevelopment Plan and the SEMI Phase 3 TIF Plan, which plans expanded the SEMI Project area, established a tax increment financing district, identified a budget for expenditures, and designated property that

may be acquired, all pursuant to and in accordance with the Laws.

1.06. That by Resolution No 97R-103 duly adopted on April 25, 1997, the City approved Modification No 4 to the SEMI Area Redevelopment Plan and the SEMI Phase 4 TIF Plan, which plans established a tax increment financing district, identified a budget for expenditures, and designated property that may be acquired, all pursuant to and in accordance with the Laws.

1.07. The Agency has caused to be prepared, and this Council has investigated the facts with respect thereto, a proposed Modification No 5 to the SEMI Area Redevelopment Plan and a SEMI Phase 5 Tax Increment Financing Plan, including the SEMI Phase 5 Hazardous Substance Subdistrict Plan (together, the "Plans"), describing more precisely the activities to be undertaken, public costs, the identification of budgets for TIF and hazardous substance subdistrict expenditures, and the designation of property that may be acquired.

1.08. The Agency and the City have performed all actions required by law to be performed prior to the adoption of the Plans, including, but not limited to, a review of the proposed Plans by the affected neighborhood groups and the Planning Commission, transmittal of the proposed Plans to the Hennepin County Board of Commissioners and the School Board of Special School District No 1 for their review and comment, and the holding of a public hearing upon published and mailed notice as required by law.

## **Section 2. Findings for the Adoption of the Plans.**

2.01. The Council hereby finds, determines and declares that the Plans will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the development or redevelopment of the SEMI Project Area and SEMI Phase 5 TIF District and the SEMI Phase 5 Hazardous Substance Subdistrict by private enterprise.

2.02. The Council further finds, determines, and declares that the Plans conform to the general plan for the development or redevelopment of the City as a whole. Written comments of the Planning Commission with respect to the Plans were issued on June 8, 1998, are incorporated herein by reference, and are on file in the office of the City Clerk.

2.03. The Council further finds, determines and declares that the proposed development or redevelopment within the SEMI Phase 5 TIF District and the SEMI Phase 5 Hazardous Substance Subdistrict would not reasonably be expected to occur solely through private investment within the reasonably foreseeable future, that the purpose of the public redevelopment activities proposed in this plan is to facilitate the remediation of two blighted and significantly contaminated properties and the recycling of these properties for light industrial reuse. In order to complete pollution remediation, soil correction and other public redevelopment activities for this site, more than \$3,000,000 in public funds will be spent for extraordinary site assembly and preparation costs to complete the redevelopment of this site. For this 6.5 acre site, acquisition and site preparation costs are anticipated to equal approximately \$10.80 per square foot. Based upon appraisal estimates prepared to accompany the pollution grant applications and staff analysis, it is estimated that fair market value of uncontaminated land at this location is approximately \$2.20 per square foot. This means that the fair market value of the remediated site is approximately \$612,000. These figures make it apparent that without public redevelopment efforts to address the pollution contamination problems of this site, industrial redevelopment of this property would not be economically viable by private investment alone in the foreseeable future. Further, the increased market value of the site that could reasonably be expected to occur without the use of tax increment financing would be less than the increase in the market value estimated to result from the proposed development after subtracting the present value of the projected tax increments for the maximum duration of the District permitted by the Plans, and therefore the creation of a tax increment finance district and hazardous substance subdistrict is deemed necessary.

2.04. The Council further finds, determines and declares that the subdistrict is not larger than, and the period of time during which increments are elected to be received is not longer than, that which is necessary in the opinion of the Agency to provide for the additional costs due to the designated hazardous substance site. Notwithstanding utilizing the maximum duration of both the TIF

district and the hazardous substance subdistrict, additional subsidies will be necessary.

2.05. The Council further finds, determines and declares that the property to be included in the SEMI Phase 5 TIF District and the SEMI Phase 5 Hazardous Substance Subdistrict consists of parcels that contain a single industrial complex including three distinct structural type buildings and other surface parking areas, all indicating significant signs of distress; constitute a repository for litter and debris and a fire hazard, lack life safety components and elements of the Americans with Disabilities Act, and are an uneconomic use of inner-city real estate; that the tax increment financing district to be established meets the criteria of a redevelopment district as defined in the Laws, based upon detailed and documented parcel-by-parcel interior and external inspections of the properties to be included, pursuant to Minnesota Statutes, Section 469.174, Subdivision 10 (a); and that the reasons and supporting facts for this determination are retained and available from the Agency.

2.06. The Council further finds, determines and declares that the property to be included in the SEMI Phase 5 Hazardous Substance Subdistrict consists of two tax parcels, one parcel is a hazardous substance site and the other parcel is adjacent to or shares a common point with the contaminated parcel and therefore qualifies for inclusion in the hazardous substance subdistrict, and that the property to be included in the subdistrict qualifies for inclusion in a hazardous substance subdistrict pursuant to Minnesota Statutes, Section 469.174, Subdivisions 16, 17 and 23; that contamination at the site consists of heavy metals, polynuclear aromatic hydrocarbons, chlorinated solvents, petroleum and contingencies for wastes, underground storage tanks, an unsealed water well, and additional contaminated soil that may be encountered during redevelopment activities at the site; and that the reasons and supporting facts for this determination are retained and available from the Agency.

2.07. The Council further finds, determines and declares that the objectives and actions authorized by the Plans are all pursuant to and in accordance with the Laws.

2.08. The Council further finds, determines

and declares that the municipality elects the method of tax increment computation set forth in Minnesota Statutes, Section 469.177, Subdivision 3 (a), and that it is the intent of the City and Agency that the entire fiscal disparity contribution required of the City for development occurring within the SEMI Phase 5 Hazardous Substance Subdistrict be taken from outside this District and Subdistrict.

2.09. The Council further finds, determines and declares that the municipality elects to make the qualifying local contribution to project costs required pursuant to Minnesota Statutes, Section 273.1399, thereby exempting the City from the State Aid Offset (LGA/HACA penalty) on the SEMI Phase 5 TIF District and SEMI Phase 5 Hazardous Substance Subdistrict.

2.10. The Council further finds, determines and declares that it is necessary and in the best interest of the City at this time to approve Modification No 5 to the SEMI Area Redevelopment Plan, and the SEMI Phase 5 Tax Increment Financing Plan, including the SEMI Phase 5 Hazardous Substance Subdistrict Plan.

### **Section 3. Approval of the Plans.**

3.01. Based upon the findings set forth in Section 2 hereof, the Modification No 5 to the SEMI Area Redevelopment Plan and the SEMI Phase 5 Tax Increment Financing Plan, including the SEMI Phase 5 Hazardous Substance Subdistrict Plan, presented to the Council on this date are hereby approved and shall be placed on file in the office of the City Clerk.

### **Section 4. Implementation of the Plans.**

4.01. The officers and staff of the City and the Agency and the City's and the Agency's consultants and counsel are authorized and directed to proceed with the implementation of the Plans, and for this purpose to negotiate, draft, prepare and present to this Council for its consideration, as appropriate, all further plans, resolutions, documents and contracts necessary for this purpose.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998. J. Cherryhomes, President of Council.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**Comm Dev & W&M/Budget** – Your Committee, having under consideration a proposal to issue revenue bonds on behalf of Northern Cap Manufacturing Company, Inc. to finance a 38,500 square foot manufacturing facility expansion at 2633 Minnehaha Ave, and having held a public hearing thereon, now recommends –

**Comm Dev** – a) Passage of the accompanying resolution giving preliminary and final approval to the issuance of up to \$1.2 million of Taxable Minneapolis Community Development Agency (MCDA), Development Revenue Bonds, Common Bond Fund, Series 1998, for Northern Cap Manufacturing Company, Inc., to be issued through the Minneapolis Common Bond Fund and designating the Bonds as bonds entitled to the security provided by Ordinance No 87-Or-084, Tax Reserve and Pledge Ordinance (Petr No 263823);

b) Pursuant to MCDA Resolution No 87-171M adopted by the Board of Commissioners of the MCDA on July 16, 1987, that these Common Fund Bonds be designated, if and when issued, as bonds entitled to the Security provided by said Ordinance No 87-Or-084;

c) Summary publication of the above-described resolution; and

d) That this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency (MCDA).

**W&M/Budget** – a) passage of the accompanying resolution giving preliminary approval to the issuance of up to \$1.2 million of Taxable Minneapolis Community Development Agency (MCDA), Development Revenue Bonds, Common Bond Fund, Series 1998, for Northern Cap Manufacturing Company, Inc., to be issued through the Minneapolis Common Bond Fund (Petr No 263823);

b) Summary publication of the above-described resolution;

c) That this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency (MCDA); and

d) That the matter be scheduled for an additional public hearing on July 6, 1998 to consider the company's request to increase the proposed amount of bond financing from \$1.2 million to \$2 million.

Niland moved to amend the report by deleting the Community Development

Committee recommendation and approving the Ways & Means/Budget Committee recommendation. Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted.

Yeas, 11; Nays none.

Absent – Goodman, Biernat.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 98R-196, entitled "Giving preliminary approval to a project on behalf of Rafowitz Enterprises, a Minnesota general partnership and Northern Cap Manufacturing Co., a Minnesota corporation, and authorizing the issuance of taxable and/or tax-exempt revenue bonds or notes of the Minneapolis Community Development Agency therefor, payable primarily from revenues derived pursuant to a revenue agreement" was passed June 12, 1998 by the City Council and approved June 18, 1998 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

[The following is the complete text of the unpublished summarized resolution.](#)

#### **RESOLUTION 98R-196**

**By Campbell**

**[Giving preliminary approval to a project on behalf of Rafowitz Enterprises, a Minnesota general partnership and Northern Cap Manufacturing Co., a Minnesota corporation, and authorizing the issuance of taxable and/or tax-exempt revenue bonds or notes of the Minneapolis Community Development Agency therefor, payable primarily from revenues derived pursuant to a revenue agreement.](#)**

[Whereas, the City Council, by Ordinance No. 81-Or-017, as amended by Ordinance No. 82-Or-076, reorganized and renamed the Housing and Redevelopment Authority in and for the City of Minneapolis as the Minneapolis Community Development Agency \(the "Former Agency"\), and granted additional powers and duties pursuant to Minnesota Laws of 1980, Chapter 595; and](#)

Whereas, the City Council, by Ordinance No. 86-Or-035, renamed the Former Agency as the Minneapolis Public Housing Authority and created a new public corporation named the Minneapolis Community Development Agency (the "Agency") to which the City Council granted the development powers of the Former Agency and to which the City Council extended the development obligations of the Former Agency; and

Whereas, pursuant to Minnesota Laws of 1980, Chapter 595, Ordinance No. 81-Or-017, as amended, and Ordinance No. 86-Or-035, as amended, of the City Council and Minnesota Statutes, Sections 469.152 through 469.1651 (collectively, the "Act"), the Agency is authorized to issue revenue bonds or notes for the purpose of providing financing for the acquisition, construction, rehabilitation and installation of projects consisting of real and personal properties used or useful in connection with a revenue-producing enterprise engaged in any business; and

Whereas, by Resolution No. 82-512, adopted by the Former Agency on December 15, 1982, as amended, the Former Agency established a certain common bond fund and provided for the issuance from time to time by the Agency of economic development revenue bonds to be secured thereby ("Common Fund Bonds"); and

Whereas, pursuant to Ordinance No. 86-Or-035, as amended by the Minneapolis City Council on June 27, 1986, the Agency has authority to issue Common Fund Bonds and is the successor to the Common Fund Bonds issued by its predecessor; and

Whereas, pursuant to Ordinance No. 86-Or-035, as amended, the City Council is required to give preliminary and final approval to the issuance of any bonds by the Agency; and

Whereas, representatives of Rafowitz Enterprises, a Minnesota general partnership and Northern Cap Manufacturing Co., a Minnesota corporation and their successors, affiliates and assigns (together, the "Company"), have indicated an interest and desire to acquire, construct and equip an expansion to their existing manufacturing facility in the City and has requested that the Agency issue up to \$1,200,000 of its taxable and/or tax-exempt Common Fund Bonds to

finance the proposed project (the "Bonds"). The proposed project consists of the acquisition, construction and equipping by the Company of an approximately 38,500 square foot building addition to be located at 2633 Minnehaha Avenue, in the City of Minneapolis, for use by the Company in its production and distribution of caps and other headwear and related activities (the "Project"); and

Whereas, the City Council has been advised that in accordance with the Act, a public hearing on the proposal to finance a portion of the Project has been conducted by the Community Development Committee of the City Council on behalf of the Agency, preceded by notice thereof as required by the Act, and at such public hearing all parties were given an opportunity to express their views with respect to the proposed undertaking and financing of the Project and that another public hearing will be held on July 6, 1998 to accommodate the Company's request to increase the proposed amount of bond financing from \$1,200,000 to \$2,000,000; and

Whereas, the City Council has been further advised that the proposed bond issue has been submitted to the Mayor and the Planning Commission of the City of Minneapolis at least fourteen (14) days prior to consideration hereof; and

Whereas, the Agency by resolution expected to be adopted on the date hereof, a form of which has been made available to the City Council, will give preliminary approval to the Project and the issuance of the Bonds in accordance with the Act;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council hereby gives preliminary approval to the Project and the issuance by the Agency of its Common Fund Bonds pursuant to the Act for the purpose of financing the Project in the aggregate sum of \$1,200,000 or such other amount approved by the Agency not exceeding such sum by ten percent (10%) or such other greater amount finally approved by this City Council by resolution.

Be It Further Resolved that this approval of the City Council is hereby given as required by Ordinance No. 86-Or-035, as amended.

Adopted. Yeas, 11; Nays none.

Absent – Goodman, Biernat.



Passed June 12, 1998. J. Cherryhomes,  
President of Council.

Approved June 18, 1998. S. Sayles  
Belton, Mayor.

Attest: M. Keefe, City Clerk.

**Comm Dev & W&M/Budget** – Your Committee, having under consideration the Years 20 and 21 Community Development Block Grant (CDBG) allocations for renovation of the Hennepin Center for the Arts, 528 Hennepin Ave, and their new ownership by Artspace Projects, Inc., now recommends approval of the following amendments to Contract #8959:

a) That the contractor for Contract #8959 be changed from Hennepin Center for the Arts to Hennepin Center for the Arts, API;

b) That the following CDBG allocations be reallocated to the new entity Hennepin Center for the Arts, API in Contract #8959, for a new total not to exceed \$318,500: Year 20 – \$250,000 (original allocation); Year 21 – \$68,500 (increase);

c) That the period of performance for the Contract be extended to December 31, 1998;

d) Rollover of appropriation in Year 1997 Fund 040-123-1232 to Year 1998 in an amount not to exceed \$199,712.02 and reallocation of remaining Year 20 balance of \$131,212.02 and Year 21 balance of \$68,500.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton,  
Mayor.

Attest: M. Keefe, City Clerk.

**Comm Dev & W&M/Budget** – Your Committee recommends passage of the accompanying resolution increasing the appropriation in Fund SMN (State Grants and Loans) by \$545,000 to cover the additional housing and economic development projects and programs now being funded with Urban Revitalization Action Program (URAP) income (Petr No 263823).

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton,  
Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 98R-197**  
**Niland and Campbell**

**Amending The 1998 Minneapolis  
Community Development Agency  
Appropriation Resolution.**

Resolved by The City Council of The City  
of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in Fund SMN – State Grants Loans by \$545,000 from projected fund balance.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998. J. Cherryhomes,  
President of Council.

Approved June 18, 1998. S. Sayles Belton,  
Mayor.

Attest: M. Keefe, City Clerk.

**Comm Dev & W&M/Budget** – Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving the Bryn Mawr Neighborhood Action Plan (the Plan), with total NRP expenditures not to exceed \$713,000 (this includes “Early Access” and “First Step” project allocations totaling \$300,000), as set forth in Petr No 263825, now recommends.

1. That said Plan, and specifically those parts of the Plan which fall under City jurisdiction, be approved;

2. Passage of the accompanying resolution increasing the NRP Program Fund (CNR) by \$307,000;

3. That the Minneapolis Community Development Agency (MCDA) staff be directed to establish dedicated reserve funds for the Plan within Fund (CNR) and to assign \$106,000 to such reserve fund for future year expenditures on the approved Plan;

4. That the proper City officers be authorized to execute any agreements needed to implement activities set forth in the Plan; and

5. That this action be transmitted to the Board of Commissioners of the MCDA.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.  
Approved June 18, 1998. S. Sayles Belton,  
Mayor.  
Attest: M. Keefe, City Clerk.

**RESOLUTION 98R-198  
Niland and Campbell**

**Amending The 1998 Minneapolis  
Community Development Agency  
Appropriation Resolution.**

Resolved by The City Council of The City  
of Minneapolis:

That the above-entitled resolution, as  
amended, be further amended by increasing  
Fund CNR-NRP Program by \$307,000 from  
projected fund balance.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998. J. Cherryhomes,  
President of Council.

Approved June 18, 1998. S. Sayles Belton,  
Mayor.

Attest: M. Keefe, City Clerk.

**Comm Dev & W&M/Budget** – Your  
Committee, having under consideration the  
request by the Cedar Cultural Centre (CCC), a/  
k/a Minnesota S.T.A.R., 416 Cedar Ave S, that  
the Minneapolis Community Development  
Agency (MCDA) write off the principal balance  
of two Community Economic Development  
Fund (CEDF) loans in the amount of  
\$127,911.45, plus accrued interest of  
approximately \$20,466, for a total outstanding  
debt of \$148,377.45, in order to obtain private  
funding to make improvements to the CCC,  
now recommends –

**Comm Dev** – that the proper officers of the  
MCDA be authorized to forgive the outstanding  
principal and accrued interest of the CEDF  
loans, notwithstanding the staff  
recommendation that the request for loan  
forgiveness be denied and restructuring of the  
CEDF loans be approved as outlined in Petn  
No 263823.

**W&M/Budget** – that said request be  
forwarded without recommendation.  
Campbell moved to amend the report by  
deleting the Ways & Means/Budget Committee

recommendation and by substituting the  
Community Development Committee  
recommendation as follows:

**Comm Dev** – that the proper officers of the  
MCDA be authorized to forgive the accrued  
interest of the CEDF loans in the amount of  
\$20,466, leaving a balance of \$127,911  
(rounded up to \$128,000), which the MCDA will  
separate into two loans, which terms follow:

**Loan A:** \$75,000, to be paid back to the  
MCDA with the following terms:

Principal to be deferred to April 1999 with  
no interest accruing. Term of the loan will be for  
20 years (19 year amortization). Interest will be  
at 2%. Monthly principal and interest payment  
will amount to \$395.67.

**Loan B:** \$53,000, for a term of 20 years, to  
be deferred for approximately two years  
(September 2000) with no interest accruing. If  
during the deferral period the CCC receives  
outside sources of grant funding (Neighborhood  
Revitalization Program, foundations,  
endowments, etc.), an equal amount will be  
forgiven from the principal. A loan schedule will  
set up on or around September 1, 2000  
predicated on the amount of principal balance,  
if any, remaining. The amortization will be for  
18 years with an interest rate of 2%.

Seconded.

Minn moved that the report be referred  
back to the Community Development and  
Ways & Means/Budget Committees.  
Seconded.

Lost. Yeas, 1; Nays, 10 as follows:

Yeas – Minn.

Nays – Colvin Roy, Herron, Mead,  
McDonald, Johnson, Thurber, Ostrow,  
Campbell, Biernat, Cherryhomes.

Declining to vote – Niland.

Absent – Goodman.

Campbell's motion was adopted by  
unanimous consent.

The report, as amended, was adopted.

Yeas, 10; Nays, 1 as follows:

Yeas – Colvin Roy, Herron, Mead,  
McDonald, Johnson, Thurber, Ostrow,  
Campbell, Biernat, Cherryhomes.

Nays – Minn.

Declining to vote – Niland.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton,  
Mayor.

Attest: M. Keefe, City Clerk.



The **INTERGOVERNMENTAL RELATIONS** Committee submitted the following report:

**IGR** – Your Committee recommends passage of the accompanying resolution granting local approval to Laws of Minnesota 1998, Chapter 367, relating to Community Right To Know.

Adopted. Yeas, 11; Nays, 1 as follows:

Yeas – Colvin Roy, Herron, Mead, McDonald, Johnson, Thurber, Ostrow, Campbell, Biernat, Niland, Cherryhomes.

Nays – Minn.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 98R-199**  
**By Thurber**

**Approving Laws of Minnesota 1998, Chapter 367.**

Whereas, the Minnesota State Legislature has passed a law relating to Community Right To Know; and

Whereas, said law, by its terms, requires an affirmative vote of a majority of the members of the City Council before it may become effective;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That said law be now approved and the City Clerk be directed to prepare and file with the Secretary of State the required certification of approval.

Adopted. Yeas, 11; Nays, 1 as follows:

Yeas – Colvin Roy, Herron, Mead, McDonald, Johnson, Thurber, Ostrow, Campbell, Biernat, Niland, Cherryhomes.

Nays – Minn.

Absent – Goodman.

Passed June 12, 1998. J. Cherryhomes, President of Council.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES** Committee submitted the following reports:

**PS&RS** – Your Committee recommends concurrence with the recommendation of the Mayor to reappoint Kenneth O. Beck, 121 Washington Avenue South #401 (Ward 7) to the Minneapolis Civilian Police Review Authority, for a term to expire June 30, 2002.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** – Your Committee, having under consideration the application of Fresco Juice Company LLC, dba Fresco Juice Company, 1426 W Lake St, for a Sidewalk Cafe License to expire April 1, 1999 (new business), and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** – Your Committee, to whom was referred an ordinance amending Title 5, Chapter 91 of the Minneapolis Code of Ordinances relating to **Building Code: Permit Fees**, implementing an inspection fee for low income, rental housing property tax class 4d, now recommends that said ordinance be sent forward without recommendation.

Biernat moved to amend the Ordinance by deleting the following sentence in Section 91.960: "Should the inspection consist only of an inspection of records pursuant to Section 91.900, and not an on-site visit, the fee shall be one hundred dollars (\$100.00) per building, payable by the applicant for Class 4d status before the director certifies compliance to the State."

Further, that the report be amended by deleting the language "be sent forward without recommendation" and inserting in lieu thereof "be given its second reading for amendment and passage". Seconded.

Minn moved to amend the Ordinance by deleting the twenty dollar (\$20.00) per dwelling unit inspection fee in Section 91.960.

Seconded.

Lost. Yeas, 4; Nays, 8 as follows:

Yeas – Colvin Roy, Minn, McDonald, Ostrow.

Nays – Herron, Mead, Johnson, Thurber, Campbell, Biernat, Niland, Cherryhomes.

Absent – Goodman.

Colvin Roy moved a substitute motion to amend the report by deleting the language “sent forward without recommendation” and inserting in lieu thereof “be given its second reading for amendment and passage.

Lost. Yeas, 3; Nays, 9 as follows:

Yeas – Colvin Roy, Minn, McDonald.

Nays – Herron, Mead, Johnson, Thurber, Ostrow, Campbell, Biernat, Niland, Cherryhomes.

Absent – Goodman.

On Biernat’s motion, it was adopted by unanimous consent.

The report, as amended, was adopted.

Yeas, 8; Nays, 4 as follows:

Yeas – Herron, Mead, Johnson, Thurber, Campbell, Biernat, Niland, Cherryhomes.

Nays – Colvin Roy, Minn, McDonald, Ostrow.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**ORDINANCE 98-Or-050**

**By Biernat**

**Intro: 3/6/98**

**Ref to: PS&RS**

**1st Reading: 4/29/98**

**2nd Reading: 6/12/98**

**Amending Title 5, Chapter 91 of the Minneapolis Code of Ordinances relating to Building Code: Permit Fees.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Chapter 91 of the Minneapolis Code of Ordinances be amended by adding thereto a new Article XIV to read as follows:

**ARTICLE XIV. INSPECTIONS FOR PROPERTY TAX CLASSIFICATION 4D CERTIFICATIONS; FEES**

**91.950. Authority to inspect.** The director of inspections is hereby authorized, when requested by the Minnesota Housing Finance Agency, to conduct inspections of rental properties within the city pursuant to Minnesota Statutes, Section 462A.071, in order to certify compliance with applicable housing codes for the purpose of qualifying the property for taxation as Class 4d property under Minnesota Statutes, Section 273.13. If the director determines that the property has already been inspected by the inspections department’s inspectors within the previous three (3) year period for purposes of the Minneapolis Rental Dwelling License Ordinance, Minneapolis Code of Ordinances, sections 244.1800 et. seq., then the director may certify compliance with the applicable codes to the State of Minnesota based upon an inspection of department records without re-visiting the property. Inspections shall be conducted in conformity with section 244.1855 of this Code.

**91.960. Fees for inspection.** The director of inspections, before conducting any on-site inspection of a building pursuant to this Article XIV, shall collect a fee from the applicant for Class 4d status in the amount of one hundred dollars (\$100.00) per building and twenty dollars (\$20.00) per dwelling unit required to be inspected in the building pursuant to section 244.1855 of this Code. In the event that a building fails to pass an on-site inspection such that a re-inspection shall be required, a fifty dollar (\$50.00) re-inspection fee shall be paid by the applicant as set forth in section 244.190 of this Code.

Adopted. Yeas, 8; Nays, 4 as follows:

Yeas – Herron, Mead, Johnson, Thurber, Campbell, Biernat, Niland, Cherryhomes.

Nays – Colvin Roy, Minn, McDonald, Ostrow.

Absent – Goodman.

Passed June 12, 1998. J. Cherryhomes, President of Council.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** – Your Committee recommends granting the following applications for liquor, wine and beer licenses:

**On-Sale Liquor Class A with Sunday Sales, to expire April 1, 1999**

Walker Art Center, dba Walker Art Center, 725 Vineland Pl, temporary expansion and temporary outdoor entertainment on June 12, 1998 from 6:00 p.m. to 10:00 p.m. for the 10th Anniversary Celebration - Minneapolis Sculpture Garden;

**On-Sale Liquor Class A with Sunday Sales, to expire October 1, 1998**

International Catering Inc, dba Atrium Cafe, 275 Market St, temporary expansion of premises on May 23, 1997 from 7:15 p.m. to 1:00 a.m. for Nickel-Hage Wedding Reception;

**On-Sale Liquor Class B with Sunday Sales, to expire January 1, 1999**

JWM Investments Inc, dba Mayslack's, 1428 NE 4th St, temporary expansion of premises with outdoor entertainment on May 30 & 31, 1998 from 2:00 p.m. to 10:00 p.m.;

**On-Sale Liquor Class B with Sunday Sales, to expire October 1, 1998**

German Restaurant Inc, dba Gasthof Zur Gemutlichkeit, 2300 University Av NE, temporary expansion of premises with entertainment on June 19 & 20, 1998 and June 26 & 27, 1998 from 6:00 p.m. to 10:00 p.m.;

**On-Sale Liquor Class E with Sunday Sales, to expire January 1, 1999**

M & E Restaurant Corporation, dba Ping's Szechuan Bar & Grill, 1401 Nicollet Av (change in shareholder);

**On-Sale Liquor Class E with Sunday Sales, to expire July 1, 1998**

Preston's of Mpls Inc, dba Sgt Preston's, 221-29 Cedar Av (regular expansion of premises);

Stub & Herbs Inc, 227 Oak St (internal transfer of shares);

Stub & Herbs Inc, dba Stub & Herbs, 227 Oak St;

**Temporary On-Sale Liquor**

Youthcare Inc, 514 Nicollet Mall, on May 14, 1998 from 4:30 p.m. to 9:00 p.m. at 514 Nicollet Mall (licensed facilitator: Minneapolis Bar & Grill);

Basilica of St Mary, dba Basilica Block Party, 88 N 17th St, on July 10 & 11, 1998 from 5:00 p.m. to 10:30 p.m. for fundraiser (licensed facilitator: Weissbar Inc);

Philanthrofund Foundation, 310 E 38th St #204, on June 26, 1998 from 9:00 p.m. to 3:00 a.m. at Theatre De La Jeune Lune for fundraiser;

Calhoun Area Residents Action Group, dba Henn Lake Community Wine Tasting, 3010 Hennepin Av, Ste 253, on June 10, 1998 from 6:00 p.m. to 9:00 p.m. for annual community fundraising wine tasting event at Calhoun Square Shopping Center, 3001 Hennepin Av S (licensed facilitator: Figlio's & Parasole Rest Holdings Inc);

**On-Sale Beer Class E, to expire April 1, 1999**

Emison Enterprises Inc, dba 5-8 Club, 5800 Cedar Av;

**Temporary On-Sale Beer**

Minneapolis Camden Area Lions, 826 44th Av N, on July 9 & 10, 1998 from 5:00 p.m. to 11:00 p.m. and July 11 & 12, 1998 from noon to 11:00 p.m. at Weber Park for fundraiser.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** – Your Committee recommends granting the following applications for business licenses as per list on file and of record in the Office of the City Clerk under date of June 12, 1998, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 263832):

Bowling Alleys; Building Contractor Class A; Building Contractor Class B; Carnival; Cement Finisher; Contractor/Masonry Class A; Dancing School; Dry Cleaner – Nonflammable; Laundry; Dry-Wall Contractor; Farm Produce Permit; Caterers; Grocery; Food Manufacturer; Restaurant; Short-Term Food Permit; Seasonal Short-Term Food Establishment; Sidewalk Cafe Permit; Vending Machines; Fuel Dealer – Cash & Carry Only; Heating, Air Conditioning, Ventilation Installer Class A; Lodging with Boarding House; Motor Vehicle Dealer – Used Only; Motor Vehicle Repair Garage; Motor Vehicle Repair Garage with Access Use; Peddler – Special Religious; Pet Shop; Plasterer; Refrigeration Installer; Secondhand Goods Dealer; Secondhand Goods Dealer – Exhibition; Solicitor - Individual; Suntanning Facilities; Swimming Pools; Taxicab - Neighborhood Rideshare; Taxicab Vehicle; Tobacco Dealers; Tradesman-Combination; and Tree Servicing.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** – Your Committee recommends granting the following applications for gambling licenses, subject to final inspection and compliance with all provisions of the applicable codes and ordinances:

**Gambling-Lawful Class B**

George Glover Neighborhood Gym, PO Box 394, Rogers, at Little Wagon, 420 S 4th St; Roosevelt Booster Club Inc, 13669 43rd St NE, St Michael, at U Otter Stop Inn, 617 Central Av NE;

**Gambling Lawful Exempt**

Jewish Family & Children's Service, 1500 South Highway 100, Golden Valley, for raffle on December 5, 1998 at Minneapolis Convention Center;

Neighborhood Involvement Prog Inc, 2431 Hennepin Av, for raffle on August 6, 1998 at Regal Minneapolis Hotel, 1313 Nicollet Mall; Church of St Anne, 2627 Queen Av N, for bingo, raffle and pulltabs on August 15 & 16, 1998.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** – Your Committee, having under consideration the application of Nath-Son Inc, dba Spring Street Bar & Grill, 355 Monroe St, for an On-Sale Liquor Class B with Sunday Sales License to expire January 1, 1999 (regular expansion of premises), now recommends that said license be granted, subject to neighborhood review and final inspection and compliance with all provisions of the applicable codes and ordinances.

Ostrow moved to amend the report to add the following conditions to the Spring Street Bar & Grill's Expansion of Premises License:

a. that service be stopped to the outdoor deck area at 9:30 p.m.;

b. that the gate to the deck be locked at 10:00 p.m.;

c. that signs be posted stating the deck hours;

d. that all wait staff be required to attend server training;

e. that the deck be built as presented in the plan, including a 6 foot privacy fence/wall on the Spring Street side of the deck, awnings, trees, and flower boxes;

f. that the volume of outdoor taped music be kept low enough to comply with the noise ordinance. If complaints are received, the volume will be lowered, the music will be prohibited or the outdoor deck area will be removed. Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** – Your Committee, having under consideration the application of K L Kurlorman Co, dba My Place on Broadway, 728 Broadway St NE, for an On-Sale Wine Class E with Strong Beer License to expire April 1, 1999 (new business), now recommends that said license be granted, subject to the following conditions:

a. that the applicant seal coat and stripe the adjacent parking lot, clean up the boulevards, and provide several plantings along the southern most boulevard prior to the issuance of the license; and

b. final inspection and compliance with all provisions of the applicable codes and ordinances.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** – Your Committee, having under consideration the Lodging with Boarding House License held by Delta At Delta Fraternity, 1717 University Av SE, and having received Findings of Fact, Conclusions and Recommendations arising from a Technical Advisory Committee (TAC) hearing thereon for failure to comply with written orders from the Health, Housing and

Fire Departments, and failure to renew their license, now recommends adoption of the following recommendations, as more fully set forth in said Findings, which are on file in the Office of the City Clerk and made a part of this report by reference:

a. that the licensee pay an administrative fine of \$700 for failing to vacate the property as ordered by the fire inspector;

b. that the licensee will comply with all orders written by the inspectors, as set forth in said Findings; and

c. that future orders issued to the licensee will be completed by the compliance date. Future violations could result in further disciplinary action up to and including license suspension or revocation.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** – Your Committee, having under consideration an asbestos survey that was performed on the property located at 421-23 4th Av NE in July of 1996 for the purpose of an owner authorized demolition, now recommends that the proper City Officers be authorized to request that Hennepin County remove the assessment of \$1,468.50 from the property taxes payable in 1998 by Maguy E Farhart for the property at 421-23 4th Av NE (PID #14-029-24-43-0063).

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** – Your Committee, having under consideration the property located at 2807 Stevens Av which has been determined by the Director of Inspections to create a nuisance condition within the meaning of Chapter 249 of the Minneapolis Code of Ordinances, and having received a request by the owner to raze said property, now recommends that the proper City officers be authorized to raze the property legally described as Lot 21, Block 3, Stillman's Addition (PID #34-029-24-43-0131).

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** – Your Committee recommends concurrence with the recommendation of the Mayor to appoint Daryl E. Lynn, 3247 Columbus Av S (Ward 8) as the Chairperson of the Minneapolis Civilian Police Review Authority, for a term to expire June 30, 2000.

Adopted. Yeas, 11; Nays, 1 as follows:

Yeas – Colvin Roy, Herron, Mead, McDonald, Johnson, Thurber, Ostrow, Campbell, Biernat, Niland, Cherryhomes.

Nays – Minn.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** – Your Committee recommends that the proper City Officers be authorized to execute a contract with the Minneapolis Public Housing Authority, in an amount not to exceed \$650,000, to provide police services to public housing communities. Said contract shall be for the period January 1, 1998 through December 31, 1998, to provide the services of one lieutenant, one sergeant and eight officers to be assigned to the Public Housing Authority. Funding has been allocated in the Police Department's 1998 General Fund budget, with expenditures being reimbursed by the Public Housing Authority.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 15, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published June 16, 1998)

**PS&RS** – Your Committee, having under consideration the Rental Dwelling License held by Carrie Schuett for the property located at 2724 17th Av S, now recommends that said license be denied for failure to meet the licensing standards as a result of conduct on the licensed premises in accordance with

Section 244.2020 of the Minneapolis Code of Ordinances.

Your Committee further recommends that said property be vacated until the owner complies with standards of the ordinance and receives City Council approval for reinstatement.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** – Your Committee, having under consideration the Rental Dwelling License held by Rob Kavoosi for the property located at 2634 Bryant Av N, and having received Findings of Fact, Conclusions and Recommendations arising from a Rental Dwelling License Board of Appeals hearing held on April 28, 1998, now recommends concurrence with the recommendation of the Board of Appeals that said license be revoked as a result of conduct on the licensed premises, pursuant to Section 244.2020 of the Minneapolis Code of Ordinances, as more fully set forth in said Findings which are on file in the Office of the City Clerk and made a part of this report by reference.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** – Your Committee, having under consideration the Rental Dwelling License held by Troy Mathwig for the property located at 614-16 9th St S, and having received Findings of Fact, Conclusions and Recommendations arising from a Rental Dwelling License Board of Appeals hearing held on April 28, 1998, now recommends concurrence with the recommendation of the Board of Appeals that said license be revoked as a result of conduct on the licensed premises, pursuant to Section 244.2020 of the Minneapolis Code of Ordinances, as more fully set forth in said Findings which are on file in the Office of the City Clerk and made a part of this report by reference.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** – Your Committee, having under consideration the Rental Dwelling License for the property located at 1826 Chicago Av S, and having received a Management Plan for the building, now recommends approval for reinstatement of said license to be held by Steve Frenz and Richard Pakonen, pursuant to Section 244.1940 (d) of the Minneapolis Code of Ordinances.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** – Your Committee recommends concurrence with the nomination of the Mayor and approval by the Executive Committee of the appointment of Rocco Forté to the position of Fire Chief, for a term beginning July 1, 1998 and expiring January 3, 2000.

Adopted. Yeas, 9; Nays, 2 as follows:

Yeas – Colvin Roy, Herron, Mead, Thurber, Ostrow, Campbell, Biernat, Niland, Cherryhomes.

Nays – Minn. McDonald.

Declining to Vote – Johnson.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

**PS&RS & W&M/Budget** – Your Committee recommends that the proper City Officers be authorized to execute an agreement with Darryl Thibodeaux, in an amount not to exceed \$40,560, for dwelling units to be used as safe housing for the period July 1, 1998 through June 30, 1999 during the performance of lead reduction activities, as funded by the United States Department of Housing and Urban Development Lead Hazard Reduction

grant. Said lease may be extended for up to twelve months beyond the first year. Payments for these units shall be payable from Licenses & Consumer Services (030-835-8393).

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS & W&M/Budget – Your**

Committee recommends that the proper City Officers be authorized to accept a grant award and execute an agreement with the State of Minnesota, in the amount of \$111,650, to receive funds from the MinnesotaCare Outreach Grant Program for the period July 1, 1998 through June 30, 1999. Said grant funds will be used to continue services through the Minneapolis Public Schools' Welcome Center sites to assess families' health insurance needs and facilitate referrals to determine insurance eligibility. (Petr No 263837)

Your Committee further recommends passage of the accompanying Resolution appropriating \$111,650 to the Health Department Agency to reflect receipt of said grant funds.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 15, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published June 16, 1998)

**RESOLUTION 98R-200  
By Biernat and Campbell**

**Amending The 1998 General  
Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Health Department Agency in the Grants – Other Fund (060-440-4421) by \$111,650.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998. J. Cherryhomes, President of Council.

Approved June 15, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published June 16, 1998)

**PS&RS & W&M/Budget – Your**

Committee recommends that the proper City Officers be authorized to accept a grant award from the Minnesota Auto Theft Prevention Program, in the amount of \$51,812, to be used by the Police Department's Community Crime Prevention/SAFE Unit for increased auto theft crime prevention. (Petr No 263839)

Your Committee further recommends passage of the accompanying Resolution appropriating \$51,812 to the Police Agency to reflect receipt of said grant funds.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 98R-201  
By Biernat and Campbell**

**Amending The 1998 General  
Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Grants – Other Fund (060-400-E005) by \$51,812.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998. J. Cherryhomes, President of Council.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**The PUBLIC SAFETY & REGULATORY  
SERVICES, TRANSPORTATION & PUBLIC  
WORKS and WAYS & MEANS/BUDGET**

Committees submitted the following report:

**PS&RS, T&PW & W&M/Budget – Your**  
Committee, having under consideration the

Fifth Precinct Building Project, now recommends approval of change orders with the Sheehy Construction Company, in the amount of \$114,450, for changes to the project as described in the Summary of Changes Schedule contained in Petn No 263835 on file in the Office of the City Clerk.

Your Committee further recommends that the proper City Officers be authorized to increase Contract No 11590 with Sheehy by \$114,450, for a new total contract amount of \$2,939,450.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **TRANSPORTATION & PUBLIC WORKS** Committee submitted the following reports:

**T&PW** – Your Committee, having under consideration the Nicollet Av Streetscape Revitalization Project and plans to install a tree lighting system on Nicollet Av from Grant St to 29th St, Franklin Av from 1st Av S to LaSalle Av, and 26th Street from 3rd Av S to Blaisdell Av, now recommends approval of the plans and special provisions for the Nicollet Av Tree Lighting Project and that the proper City officers be authorized to solicit bids so that the project can be completed during the 1998 construction season.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW** – Your Committee, having reviewed the request of Robert G. Clements for a Special Boulevard Permit to pave with concrete the boulevard between the sidewalk and the street at 201 2nd Av NE and having been informed that both the Council Member and the Public Works Department have recommended that a permit not be granted, now recommends that said request for a Special Boulevard Permit be denied.

Biernat moved to amend the report to approve the Special Boulevard Permit for 201 12th Av NE. Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 10; Nays, 2 as follows:

Yeas – Colvin Roy, Herron, Mead, Minn, McDonald, Johnson, Thurber, Ostrow, Biernat, Niland.

Nays – Campbell, Cherryhomes.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW** – Your Committee recommends granting the applications of the following individuals for Special Boulevard Permits:

a. Michael Fox to build and maintain a

boulevard garden at 1818 Park Av S;

b. David Engleson of the Cunningham

Group to pave with concrete the boulevard

between the sidewalk and the street on 5th St

between Royalston and 7th St N.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW** – Your Committee, having under consideration a program established and funded in the amount of \$100,000 in the 1998 budget which provides for reimbursement to homeowners who install a backwater valve on their sewer lines to prevent sewer backups, now recommends approval of the following guidelines for the Sanitary Sewer Backwater Valve Reimbursement Program:

a. A property owner must first receive authorization from Public Works to be initially eligible for reimbursement;

b. Property owners must get three written bids from plumbers for the work, and contract with the plumber directly;

c. Once the work is done, the property owner will submit a request for reimbursement for the actual cost of construction, up to a maximum reimbursement of \$1,000;

d. Public Works will contract directly with a plumber when the property owner can demonstrate hardship and is not able to pay outright; and

e. Property owners that received reimbursement from a similar program offered



by the City between 1989 and 1995 are not eligible for this program.

Initiation notification of the program will be sent to all property owners that reported sewer backups during 1997, those that attended ward meetings and as recommended by the City Council. Reimbursements will be made on a first-come, first-served basis and are payable from the Public Works Sewer Maintenance (7300-630).

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW** – Your Committee, having under consideration approval of a State grant in the amount of \$4,000,000 to be used as matching funds towards construction of the 60th St and 1st Av and 43rd St and Park Av flood basins, now recommends passage of the accompanying Resolution authorizing the proper City Officers to enter into a grant agreement with the Minnesota Department of Natural Resources for the Flood Damage Reduction Grant Program.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

#### **RESOLUTION 98R-202**

**By Mead**

**Authorizing the City Engineer/Director of Public Works and the proper City officers to apply for and execute a grant agreement with the Minnesota Department of Natural Resources for a Flood Damage Reduction Grant.**

Whereas, during July, 1997, the City of Minneapolis experienced a series of rainstorms that created severe damage to public and private structures; and

Whereas, these storms received a Presidential disaster declaration, FEMA-1187-DR-MN; and

Whereas, the Mayor and City Council have developed a nine-year Flood Mitigation

Program to reduce or eliminate the flooding in 39 flood prone areas; and

Whereas, the Minnesota Department of Natural Resources has approved a preliminary application for a Flood Damage Reduction Grant; and

Whereas, the State of Minnesota requires grantees to adopt a resolution directing the proper City officers to act as legal sponsor for funding on behalf of the City of Minneapolis;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

1. That the City Engineer/Director of Public Works act as legal sponsor for the project contained in the Flood Damage Reduction Grant Assistance Program Application submitted on July 30, 1997 and that the City Engineer/Director of Public Works is hereby authorized to apply to the Minnesota Department of Natural Resources for funding of this project on behalf of the City of Minneapolis.

2. That the City of Minneapolis has the legal authority to apply for financial assistance and the institutional, managerial and financial capability to ensure adequate acquisition, maintenance and protection of the proposed project.

3. That the City of Minneapolis has not incurred any construction costs and has not purchased any property designated for funding by this grant.

4. That the City of Minneapolis has not violated any Federal, State, or local laws pertaining to fraud, bribery, graft, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice.

5. That upon approval of the application by the State, the proper City officers may enter into an agreement with the State for the above referenced project, and that the City of Minneapolis certifies that it will comply with all applicable laws and regulations as stated in the contract agreement.

6. That the proper City officers are hereby authorized to execute such agreements as are necessary to implement the project on behalf of the City of Minneapolis.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998. J. Cherryhomes, President of Council.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW** – Your Committee recommends that the City renew Lease Agreement No. 8219, and the First Amendment to said lease with the University of Minnesota to allow a private parking lot within the Beacon Street right-of-way in exchange for a payment of \$1,680 for the second year of the lease. (Petn No 263843)

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW** – Your Committee, having under consideration the Minnesota Department Transportation's desire to convey back to the City a parcel of land at 3rd Av N and 7th St N which was taken for construction of Interstate 394 but not needed, now recommends passage of the accompanying resolution accepting a Quit Claim Deed from the Commissioner of Transportation of the State of Minnesota, conveying all its interests in and to the herein described real estate situated in the City of Minneapolis, County of Hennepin, State of Minnesota.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

#### **RESOLUTION 98R-203**

**By Mead**

**Authorizing the acceptance of a Quit Claim Deed from the Commissioner of Transportation of the State of Minnesota (MnDOT Parcel 35A) conveying all its interests in and to the herein described real estate situated in the City of Minneapolis, County of Hennepin, State of Minnesota.**

Resolved by The City Council of The City of Minneapolis:

That the City accepts a Quit Claim Deed from the Commissioner of Transportation of the State of Minnesota (MnDOT Parcel 35A) conveying all its interests in and to the

following described real estate situated in the City of Minneapolis, County of Hennepin, State of Minnesota.

#### **Description of MnDOT**

##### **Parcel 35 A**

That part of Tracts A and B described below.

Tract A. Lots 1, 2, 3, 4, 5, 6 and 7, Block 2, Rearrangement of Blocks 2 and 3 of Camp Walkers Addition to Minneapolis, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota; except that part of said Lot 7 taken for widening of Seventh Street North; the title thereto being registered as evidenced by Certificate of Title No. 598262;

Tract B. That part of Lots 1 and 2, Block 4, Hoag's Addition to Minneapolis, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, that part of vacated 6th Street North, and that part of the unplatted portion of the Northeast Quarter of the Southwest Quarter and the Northwest Quarter of the Southeast Quarter, both in Section 22, Township 29 North, Range 24 West, of said County, contained within the following described tract: Beginning at a point on the northwesterly line of Third Avenue North, distant 483 feet northeasterly of the most southerly corner of Lot 7, Block 2, Rearrangement of Blocks 2 and 3 of Camp and Walkers Addition to Minneapolis; thence run southwesterly along said northwesterly line of Third Avenue North to the most easterly corner of said Rearrangement; thence westerly on the northerly line of said Rearrangement to an intersection with a line run parallel with and distant 15 feet northeasterly of the southwesterly line of Block 2, said Rearrangement; thence northwesterly on an extension of said 15 foot parallel line to a point distant 160.74 feet northwesterly (measured along said 15 foot parallel line) of the northwesterly line of said Third Avenue North; thence deflect to the right at an angle of 104 degrees 14 minutes 55 seconds for 118.2 feet; thence deflect to the left on a tangential curve having a radius of 885.53 feet for 149.64 feet; thence on a tangent to said curve for 167.3 feet; thence deflect to the right at an angle of 85 degrees 34 minutes 00 seconds for 34.62 feet; thence easterly on a curve concave to the

south, having a radius of 154.85 feet, for 69.55 feet to the point of beginning.

which lies northerly of Line 1 described below:

Line 1. Beginning at the easterly corner of Lot 10, Block 4, said Hoag's Addition to Minneapolis; thence run southwesterly at an azimuth of 224 degrees 07 minutes 00 seconds along the southeasterly line of said Block 4 for 270.59 feet; thence on an azimuth of 235 degrees 53 minutes 52 seconds for 245.16 feet; thence on an azimuth of 246 degrees 06 minutes 27 seconds for 212.09 feet; thence on an azimuth of 316 degrees 06 minutes 27 seconds for 50 feet and there terminating.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998. J. Cherryhomes, President of Council.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW** – Your Committee, having under consideration the Kenilworth Trail Project which will provide a commuter/recreational bicycling and pedestrian trail in Southwest Minneapolis and plans to construct said trail on Hennepin County Regional Railroad Authority (HCRRA) property, now recommends that the proper City officers be authorized to enter into and execute an agreement with the HCRRA to allow for the placement of the Kenilworth trail on their property.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW** – Your Committee, having under consideration the Public Works Facilities Plan and the need to temporarily relocate the Street Operations Division pending the final move of that division to new facilities in Phase II of the project, now recommends that the proper City officers be authorized to acquire the property at 198 North Aldrich, through negotiation or condemnation if necessary, to be used as an interim location for the Street Operations Division. Said acquisition shall proceed in accordance with Permanent Review Committee and other City processes.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW** – Your Committee, having under consideration the 1998 Aquatennial festival, "The Ten Best Days of Summer," to be held July 17 through July 26, 1998, now recommends approval of the Aquatennial festival activities, special events, program components and permit requests as contained in Petn No 263841 on file in the Office of the City Clerk.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW** – Your Committee, having under consideration the 1998 Street Renovation Program (Regina-Field and E 42nd St, Stevens Av S, and Second Av S), now recommends passage of the accompanying Resolution designating the locations and streets to be improved in the 1998 Street Renovation Program, Special Improvement of Existing Street Nos. 2941, 2943 and 2944.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

#### **RESOLUTION 98R-204**

**By Mead**

#### **1998 STREET RENOVATION PROGRAM SPECIAL IMPROVEMENT OF EXISTING STREET NOS 2941 (REGINA-FIELD AND 42ND ST E), 2943 (STEVENS AV S) AND 2944 (2ND AV S)**

**Designating the improvement of certain existing streets at the locations described hereinafter.**

Resolved by The City Council of The City of Minneapolis:

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Chapter 10, Section 8 of the Minneapolis City Charter, by mill and overlay of street surface with plant mix asphalt and selected concrete curb and gutter and street construction as needed:

**Regina-Field and  
42nd St E (2941)**

2nd Av S from 42nd St E to Minnehaha Pkwy E;

3rd Av S from 42nd St E to Minnehaha Pkwy E;

Clinton Av S from 44th to 50th Sts E;

5th Av S from 42nd St E to Ely-Wly Roadway Nly of Minnehaha Creek;

Oakland Av S from 42nd to 43rd Sts E and from 44th St E to Ely-Wly Roadway Nly of Minnehaha Creek;

Park Av S from 46th St E to approx 25 ft Sly of 50th St E;

Columbus Av S from 42nd to 43rd Sts E and from 44th St E to Minnehaha Pkwy E;

42nd St E from Nicollet Av S to approx 60 ft Wly of 13th Av S;

43rd St E from 2nd to Oakland Aves S and from Columbus to Chicago Aves S;

44th St E from 2nd to Oakland Aves S and from Columbus to Chicago Aves S;

45th St E from 2nd to Chicago Aves S;

47th St E from 2nd to Chicago Aves S;

48th St E from 2nd to Chicago Aves S;

49th St E from 2nd to Chicago Aves S;

50th St E from Park to Chicago Aves S;

**Stevens Av S (2943)**

Stevens Av S from 34th to 37th Sts E;

**2nd Av S (2944)**

2nd Av S from 34th to 37th Sts E.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998. J. Cherryhomes, President of Council.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW** – Your Committee recommends passage of the accompanying Resolution establishing uniform assessment rates for street paving and street renovation improvements for the 1998 calendar year.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 98R-205  
By Mead**

**Establishing uniform assessment rates  
for street paving and street renovation  
improvements for the 1998 calendar year.**

Whereas, the City Council adopted a policy on October 31, 1980 establishing yearly uniform assessment rates for similar improvements at various locations;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the following rates are hereby established as the 1998 uniform assessment rates and are to be applied in determining the assessments for the benefited parcels for certain types of work ordered by the City Council in the 1998 calendar year:

**Residential Paving** (street paving, curb and gutter and other street paving related improvements)- \$0.35/sq ft applied to the land area of benefited parcels located within the street influence zone along the improved street.

**Residential Renovation** (mill and overlay of street surface and selected curb and gutter and street construction as needed) – \$0.175/sq ft applied to the land area of benefited parcels located within the street influence zone along the improved street.

**Non-Residential Paving** (street paving, curb and gutter and other street paving related improvements) – \$0.91/sq ft applied to the land area of benefited parcels located within the street influence zone along the improved street. (Note: This rate was previously established in Resolution 98R-131 passed April 24, 1998.).

**Non-Residential Renovation** (mill and overlay of street surface and selected curb and gutter and street construction as needed) - \$0.455/sq ft applied to the land area of benefited parcels located within the street influence zone along the improved street.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998. J. Cherryhomes,  
President of Council.

Approved June 18, 1998. S. Sayles Belton,  
Mayor.

Attest: M. Keefe, City Clerk.

**T&PW** – Your Committee, having received a cost estimate of \$4,257,000 for street renovation improvements and a list of benefited properties for the 1998 Street Renovation Program, Special Improvement of Existing Street Nos 2941 (Regina-Field and 42nd St E), 2943 (Stevens Av S) and 2944 (2nd Av S), as designated by Resolution 98R-204 passed June 12, 1998, now recommends that the City Engineer be directed to prepare a proposed 1998 Street Renovation Special Improvement Assessment against the list of benefited properties by applying the 1998 Uniform Assessment Rates as per Resolution 98R-205 passed June 12, 1998.

Your Committee further recommends that the City Clerk be directed to give notice of a public hearing to be held by the Transportation and Public Works Committee on July 9, 1998, in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances, to consider approving the construction of the above designated renovation program and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton,  
Mayor.

Attest: M. Keefe, City Clerk.

**T&PW** – Your Committee, having under consideration the key provisions of a contract with the Metropolitan Airports Commission (MAC) regarding prohibition of a third parallel runway, restrictions on use of the proposed north-south runway, MAC acquisition of the Bureau of Mines property and other provisions, now recommends that the proper City officers be authorized to continue negotiation of said contract in accordance with the provisions presented to the Committee (as contained in

Petr No 263842 on file in the Office of the City Clerk) and be authorized to execute said contract when appropriate.

Adopted. Yeas, 10; Nays none.

Declining to vote: Mead, Niland.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton,  
Mayor.

Attest: M. Keefe, City Clerk.

**T&PW** – Your Committee, having under consideration draft comments of the City of Minneapolis on the Final Environmental Impact Statement for the Minneapolis-St. Paul Dual Track Airport Planning Process, having held a public hearing thereon and having given staff direction to prepare language which the Council could consider for incorporation into the comments to address relevant issues raised at the public hearing, now recommends approval of the comments and that the proper City officers be authorized to submit the comments to the Metropolitan Airports Commission by the deadline of June 15, 1998. Mead moved to substitute the following report for the above report. Seconded.

Adopted upon a voice vote.

**T&PW** – Your Committee, having under consideration draft comments of the City of Minneapolis on the Final Environmental Impact Statement for the Minneapolis-St. Paul Dual Track Airport Planning Process and, having held a public hearing thereon, now recommends approval of the comments (Petr No 263842 on file in the Office of the City Clerk) and that the proper City officers be authorized to submit said comments to the Metropolitan Airports Commission by the deadline of June 15, 1998.

The report, as substituted, was adopted.

Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 15, 1998. S. Sayles Belton,  
Mayor.

Attest: M. Keefe, City Clerk.

(Published June 16, 1998)

**The TRANSPORTATION & PUBLIC  
WORKS and WAYS & MEANS/BUDGET**

Committee submitted the following reports:

**T&PW & W&M/Budget** – Your Committee,  
having under consideration the approved plan

to restrict bicycle use on the Nicollet Mall during certain weekday hours and the agreement that Metropolitan Council Transit Operations (MTCO) will help to fund construction of bicycle lanes on Marquette and 2nd Aves S, now recommends:

a. That the proper City officers be authorized to enter into an agreement with the Metropolitan Council providing for the City to receive \$83,000 toward the estimated cost of \$105,000 for the construction of bicycle lanes on Marquette and 2nd Aves S between 12th St S and Washington Av S; and

b. Passage of the accompanying resolution appropriating \$83,000 to the PW – Transportation Capital Agency recognizing the Metropolitan Council funding.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

#### **RESOLUTION 98R-206**

**By Mead and Campbell**

#### **Amending The 1998 Capital Improvement Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Public Works - Transportation Capital Agency in the Permanent Improvement Projects Fund (410-943-9440) by \$83,000 for construction of bicycle lanes on Marquette Av S and 2nd Av S between 12th St S and Washington Av S, to be reimbursed by the Metropolitan Council.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998. J. Cherryhomes, President of Council.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW & W&M/Budget** – Your Committee, having under consideration the City's provision of management services to the Downtown

Traffic Management Organization (TMO) and the provision of funding for the TMO organization through Federal Intermodal Surface Transportation Efficient Act (ISTEA) grants, now recommends that the proper City officers be authorized to execute Amendment No. 3 to MnDOT Agreement #72857, adding \$22,743.45 of Federal ISTEA CMAQ funds to the existing management agreement.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW & W&M/Budget** – Your Committee recommends acceptance of the following bids in accordance with City specifications (Petr No 263847):

a. OP #4880, low bid submitted by Lametti & Sons, Inc. in the amount of \$2,037,000 for furnishing and installing an 84" water main pipe for the Public Works Water Department;

b. OP #4874, low bid of Cormar Contracting, Inc. in the amount of \$285,515 for furnishing and delivering all labor, materials, tools, equipment and incidentals necessary for the cleaning and lining of cast iron water mains for the Public Works Water Department;

c. OP #4872, only bid of Schlumberger Industries, Inc. in the amount of \$59,007 for furnishing and delivering rebuilt meter interface units to the Public Works Water Department; and

d. OP #4875, low bid of Lino Lakes Landscaping, Inc. for an estimated expenditure of \$180,000 for furnishing all labor, materials, equipment, supplies and incidentals necessary for turf establishment at various locations for the Public Works Operations Division.

Your Committee further recommends that the proper City officers be authorized to execute contracts for the above projects and/or services, in accordance with City specifications.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 15, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published June 16, 1998)

**T&PW & W&M/Budget** – Your Committee recommends that the proper City officers be authorized to execute Change Order No. 3 to Contract No. 11669 with Arkay Construction increasing the contract by \$163,886, related to construction of the police garage, radio shop and lands & buildings shops (Public Works Facilities – Phase I). Funds for said increase are available in the Public Works Facilities Project contingency.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW & W&M/Budget** – Your Committee recommends that the proper City officers be authorized to revise Contract No. 11656 with Architectural Alliance, relating to design services for the Equipment Services Division facility (Public Works Facilities — Phase II), decreasing the contract by \$218,063, due to the decision to eliminate the Street Maintenance Division from Phase II plans.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW & W&M/Budget** – Your Committee, having under consideration a Request for Proposals issued by the Public Works Water Department seeking professional assistance in conducting an Information Collection Rule (ICR) Study to gain information on the removal of disinfection by-product precursors in water, as required by the Environmental Protection Agency, now recommends that the proper City officers be authorized to enter into a professional services agreement with Carollo Engineers for a fee not to exceed \$100,600. Said agreement is payable from the Water Plant Operations Agency (740-690-6943).

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 15, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published June 16, 1998)

**T&PW & W&M/Budget** – Your Committee, having under consideration the special assessment appeal in the matter of *DeLaSalle High School vs. City of Minneapolis* and the recommendation of the City Attorney as contained in Petn No 263845 on file in the Office of the City Clerk, now recommends that the special assessment for the Nicollet Island Residential Paving Area, Special Improvement of Existing Street No. 2820, for the DeLaSalle High School property (PID 23-029-24-23-0028) be revised from \$39,699.80 to \$27,500, subject to the execution by DeLaSalle High School of an agreement and Stipulation of Dismissal in a form acceptable to the City Attorney.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

#### The **WAYS & MEANS/BUDGET**

Committee submitted the following reports:

**W&M/Budget** – Your Committee, having held a public hearing thereon, now recommends that the estimated cost of improving, operating and maintaining the Nicollet Mall for 1999, an adjustment to the 1998 Appropriation to include unexpended balances from 1997, as submitted by the City Engineer in accordance with Subd. 1, Section 430.102, Minnesota Statutes, be approved as follows:

Category 1 – Amount to be charged against the General Funds of the City – \$67,000.

Category 2 – Amount to be charged against benefited properties in proportion to benefits – \$1,129,669.

Category 3 – Amount to be specially taxed against properties after deductions under categories 1 and 2, and rental fees – \$0. Rentals received from vendors and other use – \$21,881.

Total amount required for 1999 improvement, operation and maintenance, prior years carry forward of unexpended balance and adjusted costs - \$1,218,550.

Your Committee further recommends that the City Engineer be directed to prepare an assessment roll setting forth separately the amounts to be specially assessed against the benefited properties in the district in proportion

to the benefits, descriptions of such properties, and the names of the owners of such properties so far as such names are available to the City Engineer, and that the City Engineer confer with the Nicollet Mall Advisory Board in the preparation of such assessment roll.

Your Committee further recommends passage of the accompanying resolution increasing the 1998 Public Works – Streets and Malls Appropriation by \$256,406.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 98R-207  
By Campbell**

**Amending The 1998 General  
Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Public Works – Streets and Malls Agency – Nicollet Mall, in the General Fund (010-607-6130) by \$256,406.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998. J. Cherryhomes, President of Council.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** – Your Committee, to whom was referred an Ordinance amending Title 2, Chapter 15 of the Minneapolis Code of Ordinances relating to Administration: Ethics in Government, now recommends that said Ordinance be given its second reading for amendment and passage.

Your Committee further recommends summary publication of the above-described Ordinance.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 98-Or-051 amending Title 2, Chapter 15 of the Minneapolis Code of Ordinances relating to *Administration: Ethics in Government*, amending Sections 15.10, 15.15, 15.20, 15.30, 15.35, 15.40, 15.45, 15.60, 15.70 and 15.75 which provides for further clarification of definitions, adds and subtracts positions within the City covered under the term of local official, clarifies who is covered by the conflict of interest provision, incorporates a previous council resolution pertaining to conflicts of interest, provides for a new provision prohibiting certain conduct involving a local official or employees use of knowledge gained when employed by the City within a period of time after leaving the City, adds a requirement for notification to supervisors when outside employment is accepted, deletes a redundant section pertaining to gifts to local officials and employees, clarifies the provision on the use of privileged information, and requires employees to disclose evidence of theft embezzlement, or unlawful use of public funds or property; was passed June 12, 1998 by the City Council and approved June 18, 1998 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

**ORDINANCE 98-Or-051  
By Campbell and Minn  
Intro & 1<sup>st</sup> Reading: 1/23/98  
Ref to: W&M/Budget  
2<sup>nd</sup> Reading: 6/12/98**

**Amending Title 2, Chapter 15 of the  
Minneapolis Code of Ordinances relating to  
Administration: Ethics in Government.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 15.10 of the above-entitled ordinance be amended to read as follows:

**15.10. Definitions.** (a) Administrative action means an action of a nonministerial nature based upon the exercise of the local official's or employee's judgment or discretion.

(b) *Legislative action* means introduction, sponsorship, debate, voting and any other



official action on any ordinance, resolution, amendment, nomination, appointment, report or other matter pending or proposed in a council committee or the council.

(c) *Local official*, as defined in Minnesota Statutes, Section 10A.01, means a person who holds elective office in a political subdivision or who is appointed to or employed in a public position in a political subdivision in which the person has authority to make, to recommend, or to vote on as a member of the governing body, major decisions regarding the expenditure or investment of public money and shall only include:

(1) The following elected officials: city council members; the mayor; and elected board of estimate and taxation members; and

(2) The following appointed officials: city assessor; city attorney; city coordinator; city clerk; finance officer; city engineer; health commissioner; planning director; fire chief; police chief; budget director; assistant city coordinators; treasury division director; convention center general manager; and board of estimate and taxation ~~members~~ employees.

(d) *Local official*, as defined in Minnesota Statutes, Section 471.895, Subd. 1(d), and public officer, as defined in Minnesota Statutes, Section 471.87, means an elected or appointed official of ~~a~~ the city and shall include:

(1) The following elected officials: city council members; the mayor; and elected board of estimate and taxation ~~members~~; and

(2) The following appointed officials or any person holding the title or position enumerated:

Administrative assistant to the city council president

Assistant budget director  
Assistant chief, fire department  
Assistant city clerk  
Assistant city coordinators  
Assistant director, public works/director (engineering operations)  
Assistant director, public works/director (transportation and special projects)  
Budget director  
Cable communication officer  
Chief, fire department  
Chief of police

City assessor  
City attorney  
City clerk  
City coordinator

City council coordinator of policy and operations

City council member aides

City engineer

Commissioner of public health

Deputy chief of police, ~~adm-inistrative~~ services

Deputy chief of police, investigation

Deputy chief of police, patrol

Deputy city attorney, civil

Deputy city attorney, criminal

Director, civil rights

~~Director, client services (cable officer)~~

Director, community service bureau

Director, elections

Director, emergency communications

Director, government relations ~~-legislative~~ liaison

Director, health planning administration

Director, human resources

Director, inspections

Director, neighborhood revitalization

program

Director, treasury division

Director, water works

~~Federal legislative liaison~~

Finance officer

General manager, convention center

Government relations representatives

Manager, licenses and consumer services

Mayor's ~~administrative deputy~~ chief of staff

Mayor's policy aides

Planning director

Purchasing director

State legislative liaison

(3) Appointed officials of an agency, authority or instrumentality of the city including, but not limited to, the following:

Capital Long Range Improvements Committee

Charter Commission

Civil Rights Commission, Minneapolis

Civil Service Commission, Minneapolis

Civilian Review Authority, Minneapolis

Community Development Agency, Minneapolis

Heritage Preservation Commission, Minneapolis

Planning Commission, Minneapolis

Public Housing Authority, Minneapolis

(e) Associated business means any association in connection with which the individual is compensated in excess of fifty dollars (\$50.00) in any month, except for actual and reasonable expenses, as a director, officer, owner, member, partner, employer or employee, or is a holder of securities worth twenty-five hundred dollars (\$2,500.00) or more at fair market value.

(f) Candidate means any individual who files an affidavit of candidacy or petition to appear on the ballot for the offices of mayor, city council member or board of estimate and taxation member.

(g) Election means a general, special, primary or special primary election.

(h) Employee means a person who holds a ~~classified or unclassified~~ civil service or appointed title or position in the city service. The term "employee" shall not include a local official, as defined in ~~s~~Sections 15.10(c) or 15.10(d), anyone in the hire of the park and recreation board or library board, nor any independent contractor.

(i) Privileged information means information which is learned by a local official, as defined in Sections 15.10(c) or 15.10(d), or employee in the course and scope of their duties and is information not reasonably available to the public at large.

(j) Chain of supervision means that the local official has some supervisory capacity or responsibility over the employee.

Section 2. That Section 15.15 of the above-entitled ordinance be amended to read as follows:

**15.15. Local official.** The city clerk shall prepare and file the form prescribed by the state ethical practices board designating the appointment of local officials, as defined in Section 15.10(c), and update the information as required by state statute.

Section 3. That Section 15.20 of the above-entitled ordinance be amended to read as follows:

**15.20. Conflicts of interest.** (a) Any local official, as defined in ~~s~~Sections 15.10(c) or 15.10(d), ~~or any~~ employee of the city, ~~or any member of the Minneapolis Heritage Preservation Commission,~~ who in the discharge of ~~his or her~~ their official duties would be required to take an administrative or legislative action or make a decision which would substantially affect ~~his or her~~ their

financial interests or those of an associated business unless the effect on ~~him or her~~ them is no greater than on other members of ~~his or her~~ their business classification, profession or occupation, shall take the following actions:

(1) ~~He or she~~ The local official or employee shall prepare, on such a form as prescribed by the state ethical practices board, a written statement describing the matter requiring action or decision and the nature of ~~his or her~~ their potential conflict of interest.

(2) ~~He or she~~ The local official or employee shall deliver copies of the statement to the city clerk and to ~~his or her~~ their immediate superior, if any.

(3) ~~If he or she is a~~ A local official or an employee appointed by the mayor ~~or the city council,~~ he or she shall deliver ~~a copy~~ copies of the statement to the city clerk and the presiding officer of the body, department, agency, authority or instrumentality of the city for which said ~~person~~ officer or employee serves.

(4) If a potential conflict of interest presents itself and there is insufficient time to comply with the provisions of clauses (1) to (3), the local official or employee appointed by mayor or city council shall verbally inform ~~his or her~~ their superior or the official body, or committee thereof, in which ~~he or she~~ they serves, of the potential conflict. ~~He or she~~ The local official or appointed employee shall file a written statement as provided above within one (1) week after the potential conflict presents itself.

(b) If the local official or employee has a superior, ~~his or her~~ their superior shall assign the matter, if possible, to another person who does not have a potential conflict of interest. If ~~he or she~~ they ~~has~~ have no immediate superior, the local official or employee shall consider removing ~~himself or herself~~ themselves, if possible, from influence over the action or decision in question and assign the matter to a subordinate. If an elected member of a governing body, the body may upon request excuse the local official from taking part in the action or decision in question.

(c) A local official having a potential conflict of interest who is not permitted or is

otherwise unable to abstain from action in connection with the matter must file with the city clerk a statement describing the potential conflict of interest and the action taken. The local official must file the statement within one (1) week of the action taken.

(d) No local official, as defined in Sections 15.10(c) or 15.10(d), or employee, whether paid or unpaid, shall engage in any business or transaction or shall have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of official duties in the public interest or would tend to impair independence of judgment or action in the performance of official duties. Personal, as distinguished from financial, interest includes an interest arising from blood or marriage relationships or close business or political association. Specific conflicts of interest are enumerated below for the guidance of local officials and employees:

(1) Incompatible employment — holding a position in addition to a public position which interferes, or may interfere, with the proper discharge of public duty.

(2) Soliciting or accepting personal gifts and favors by a local official or employee.

a. Exceptions. The prohibitions in this section do not apply if the gift is:

1. a campaign contribution as defined in Minnesota Statutes, Section 10A.01, Subd. 7;

2. a service to assist an official in the performance of official duties, including, but not limited to, providing advice, consultation, information, and communication in connection with legislation, and services to constituents;

3. a service of insignificant monetary value;

4. a plaque or similar memento recognizing individual services in a field of specialty or to a charitable cause;

5. a trinket or memento of insignificant value;

6. informational material of unexceptional value; or

7. food or a beverage given at a reception, meal, or meeting away from the recipient's place of work by an organization before whom the recipient appears to make a speech

or answer questions as part of a program;

8. given because of the recipient's membership in a group, a majority of whose members are not officials, and an equivalent gift is given to the other members of the group; or  
9. given by a lobbyist or principal who is a member of the family of the recipient, unless the gift is given on behalf of someone who is not a member of that family.

(3) Any use of official position for financial or personal gain.

(4) Holding (possession) investments which interfere, or tend to interfere, with the proper discharge of public duty.

(5) Representation by local officials, as defined in Sections 15.10(c) or 15.10(d), or employees of private interests before Minneapolis governmental agencies and participation in the profits from such representation.

(6) Participation in transactions as a public representative with a business entity in which the local official or employee has a direct or indirect financial or other personal interest without full disclosure.

(7) Personal interest in legislation to the extent that personal interest takes precedence over public interest and public duty.

(8) Entry into contracts or other conduct of business with the city for profit by a business in which a local official or employee has a substantial or controlling interest, especially when the local official or employee can influence such contract or business because of their public position.

Section 4. That Section 15.30 of the above-entitled ordinance be amended to read as follows:

**15.30. Representation for a fee.** A local official, as defined in Sections 15.10(c) or 15.10(d), shall not represent a client for a fee before the council or any council committee, or any board, commission or department of the city.

Section 5. That Chapter 15 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 15.35 to read as follows:

**15.35. Prohibited conduct after leaving city.** (a) No former local official, as defined in Sections 15.10(c) or 15.10(d), or employee shall disclose or use any confidential, privileged or proprietary information gained by reason of their city employment unless the information is a matter of public knowledge or is available to the public on request;

(b) No former local official, as defined in Sections 15.10(c) or 15.10(d), or employee shall, during the period of one (1) year after leaving city office or employment:

(1) Assist any person in proceedings involving the agency of the city with which they were previously employed, or on a matter in which they were officially involved, participated or acted in the course of duty.

(2) Represent any person as an advocate in any matter, including any pending or existing contract in which the former local official or employee was involved in their capacity as a local official or employee.

(3) Participate as a competitor in any competitive selection process for a city contract, nor shall any city contract be awarded to such former local official or employee in which they assisted the city in recommending or approving the project or work to be done or recommending or approving the process to be used.

(c) A local official, as defined in Sections 15.10(c) or 15.10(d), or employee who contracts with a former local official, as defined in Sections 15.10(c) or 15.10(d) or employee for expert or consultant services within one (1) year of the latter's leaving city office or employment, shall promptly inform the city attorney about the agreement.

(d) The prohibitions of Sections 15.35(b)(1) and 15.35(b)(2) shall not apply to former local officials or employees acting on behalf of a governmental agency unless such assistance or representation is adverse to the interest of the city.

Section 6. That Section 15.40 (a) of the above-entitled ordinance be amended to read as follows:

**15.40. Statements of economic interest.**

(a) The following persons shall file a statement

of economic interest with the city clerk in the form prescribed by the state ethical practices board:

- (1) A candidate within fourteen (14) days after filing an affidavit of candidacy or petition to appear on the ballot for an elective public office; or
- (2) An elected local official, as defined in Section 15.10(c), within sixty (60) days after commencing his or her term of office; or
- (3) A non-elected local official, as defined in Section 15.10(c), within sixty (60) days of accepting appointment or employment as a local official.

Section 7. That Chapter 15 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 15.45 to read as follows:

**15.45. Outside employment.** Employees shall obtain written approval from their department head before accepting outside employment that will run concurrently with city employment. Employees may not solicit or perform outside work during business hours without the written permission of the department head which addresses the use of vacation or compensatory time, if applicable, and use of the city's facilities, equipment or materials for such work.

Section 8. That Section 15.60 of the above-entitled ordinance be amended to read as follows:

**15.60. Gifts to local officials and employees.** (1) No person or association (as defined in Minnesota Statutes, Section 383b.042) shall offer or give to a local official as defined in sections 15.10(c) or 15.10(d), an employee, a local official's or employee's spouse or any children in their custody and control, and no local official or employee shall solicit or receive, anything of value, including a gift, favor or service or a promise of future employment, based on any understanding that such local official's vote, or the official actions or judgment of the local official or employee would be influenced thereby, or where it could reasonably be inferred that the thing of value would influence the local official or employee in the discharge of his or her official duties, or as a reward. Any violation of this paragraph (1) shall be punishable as provided in section 1.30 of this code.

(2 a) A local official, as defined in Section 15.10(c), shall comply with Minnesota Statutes, Section 10A.071 and Minnesota Statutes, Section 471.895, Subd.2.

(3 b) A local official, as defined in Section 15.10(d), shall comply with Minnesota Statutes, Section 471.895, Subd. 2.

Section 9. That Section 15.70 of the above-entitled ordinance be amended to read as follows:

**15.70. Confidential Privileged information.** No local official, as defined in Sections 15.10(c) or 15.10(d), or employee shall use or disclose ~~confidential~~ information gained in the course of or by reason of one's official position or activities including, but not limited to, any data classified pursuant to Minnesota Statutes, Chapter 13 as private, confidential, nonpublic or protected nonpublic, in any way that could result in financial or personal gain for the local official, or employee or members of his or her their family, or any associated business, or which may impair the officer or employee's fiduciary duty to the city.

Section 10. That Chapter 15 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 15.75 to read as follows:

**15.75. Disclosure of information.** Whenever a local official, as defined in Sections 15.10(c) or 15.10(d), or employee discovers evidence of theft, embezzlement, or unlawful use of public funds or property, the local official or employee shall, except when to do so would knowingly impede or otherwise interfere with an ongoing criminal investigation, promptly report in writing to the city director of internal audit or the city attorney a description of the alleged incident or incidents.

Adopted. Yeas, 12; Nays none.

Absent - Goodman.

Passed June 12, 1998. J. Cherryhomes, President of Council.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** – Your Committee recommends passage of the accompanying Resolution adopting City policy and authorizing the Human Resources Department to promulgate rules for implementing City policy related to City compliance with the Fair Labor Standards Act (FLSA).

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 98R-208  
By Campbell**

**Adopting City policy and authorizing the Human Resources Department to promulgate rules for implementing City policy related to City compliance with the Fair Labor Standards Act (FLSA).**

Whereas, the Human Resources Department has reviewed all City positions which are covered under the Fair Labor Standards Act (FLSA) to determine which positions are exempt or non-exempt; and

Whereas, City policy does not clarify the City's responsibilities and limitations under the FLSA; and

Whereas, the adoption by the Minneapolis City Council of a policy related to the FLSA and the promulgation of rules and procedures to implement and follow such a policy will create uniformity throughout the City; and

Whereas, the uniform application of such a policy and rules and procedures will be beneficial to the City in maintaining and monitoring compliance with the FLSA;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council of the City of Minneapolis adopts the following policy for all City departments:

That the City of Minneapolis shall follow the minimum requirements of the FLSA of 1938, as amended, and the Minnesota FLSA.

Be It Further Resolved that the City of Minneapolis does hereby authorize the Human Resources Department to promulgate rules and procedures to administer the minimum requirements of the FLSA of 1938, as amended, and the Minnesota FLSA.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998. J. Cherryhomes, President of Council.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** – Your Committee, having under consideration the Neighborhood Revitalization Program (NRP) Project Data Collection and Entry Project, intended to provide up-to-date information about NRP neighborhoods, plans, finances and projects, now recommends concurrence with the Permanent Review Committee to approve a waiver of the City's Request for Proposal (RFP) process for selection of a contractor to implement said project, with the understanding that timing requires that information and data be collected this summer.

Your Committee further recommends that the proper City officers be authorized to execute all contracts necessary to implement said project.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** – Your Committee recommends that Givonna Reed, Council Member Assistant, Ward 3, be granted the fourth step rate of pay, effective January 5, 1998.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** – Your Committee recommends approval for the following charitable fundraising organizations to participate in the 1998 City of Minneapolis Charitable Campaign, with the understanding that all seven exceed the threshold of 70% in terms of proceeds directly benefiting their programs:

- a) United Way of Minneapolis area;
- b) Open Your Heart to the Hungry and Homeless;
- c) United Arts Council;
- d) UNCF/The College Fund (also known as the United Negro College Fund);
- e) The Health Fund of Minnesota;
- f) Cooperating Fund Drive; and
- g) Minnesota Environmental Fund.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** – Your Committee, having under consideration the 1997-1999 Phillips State Weed and Seed (PSW&S) Grant, now recommends that the proper City officers be authorized to execute a Memorandum of Understanding with the Minneapolis Park Board to implement a security program at Peavey Park, East Phillips Park and Cedar Field, for a period of 12 weeks, during the months of May, June, July and August, in the amount of \$10,080.

Your Committee further recommends that said 1997-1999 PSW&S funds be transferred to cover the costs of said security program.

Your Committee further recommends passage of the accompanying resolution, decreasing the Non-Departmental Agency Appropriation by \$10,080 and increasing the Interfund Transfers Agency Appropriation by the same amount, for transfer to the Minneapolis Park Board.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

## **RESOLUTION 98R-209**

**By Campbell**

### **Amending The 1998 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by:

a) decreasing the appropriation for the Non-Departmental Agency in the Grants – Other Fund (060-123-1230-5130) by \$10,080; and

b) increasing the appropriation for the Interfund Transfers Agency in the Grants – Other Fund (060-127-1270-9075) by \$10,080 for transfer to the Minneapolis Park Board.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998. J. Cherryhomes, President of Council

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** – Your Committee recommends that the proper City officers be authorized to issue a Request for Proposals (RFP) for consultant services, to review the methodology being used to determine overhead rates (to maximize recovery of costs), to review cost accounting procedures (to ensure optimum efficiency), to provide in-service training sessions for accounting personnel, and to recommend changes where beneficial, as more fully set forth in Petn No 263854 on file in the Office of the City Clerk.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** – Your Committee, having under consideration two requests for inclusion in the upcoming City utility billings to be mailed during the month of July, 1998, now recommends approval to include the following:

a) A message announcing National Night Out on August 4, 1998, as requested by Community Crime Prevention/Safety for Everyone (CCP/SAFE); and

b) An educational flyer providing summer tips for protecting the environment, as requested by the Minneapolis Park and Recreation Board.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** – Your Committee recommends that the lawsuits filed against the City by the following individuals be settled and be payable as follows:

a) Michael McGuire and James Buckley, his attorney, \$7,750, payable from 6900-150-1500-6070;

b) Cindy Vobeyda and Wendy Cox, her attorney, \$3,500, payable from 6900-150-1500-4000;

c) Curtis Graff and Martin T. Montilino, his attorney, \$22,000, payable from 6900-150-1500-4000; and

d) Patrick Foslien and Thomas Wilson, his attorney, \$4,917, payable from 6900-150-1500-6640, with the understanding that the settlement amount is for back pay and appropriate deductions should be made.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** – Your Committee recommends that the proper City officers be authorized to issue the following Fund Availability Notice (FAN) to Parents in Community Action (PICA), Inc., for the period from June 1, 1998 through May 31, 1999:

<b>Fund</b>	<b>Agency</b>	<b>Master Contract #</b>	<b>Purpose</b>	<b>Amount</b>	<b>FAN #</b>
0400-860-8605	PICA, Inc.	10020	Service to low-income families	\$113,035	Z2-1

Adopted. Yeas, 12; Nays none.  
 Absent – Goodman.  
 Passed June 12, 1998.  
 Approved June 18, 1998. S. Sayles Belton, Mayor.  
 Attest: M. Keefe, City Clerk.

**W&M/Budget** – Your Committee recommends acceptance of Program Year 1998 Dislocated Worker funding, in the amount of \$1,225,000 (\$842,683 in state funds and \$382,517 in federal funds).

Your Committee further recommends that the proper City officers be authorized to issue the following Fund Availability Notices (FANs), for the period from July 1, 1998 through June 30, 1999:

<b>Fund #</b>	<b>Agency</b>	<b>Master Contract</b>	<b>Purpose</b>	<b>Amount</b>	<b>FAN #</b>
0300-860-8600	Minnesota Department of Economic Security	10014	Federal formula placement and referral services	\$135,025	A6-1
0600-860-8600	Minnesota Department of Economic Security	10014	State formula placement and referral services	300,540	A7-1
0300-860-8600	HIRED	10009	Federal formula placement and referral services	23,250	A6-1
0600-860-8600	HIRED	10009	State formula placement and referral services	51,750	A7-1
0300-860-8600	Resource, Inc.	10013	Federal formula placement and referral services	22,031	A6-1
0600-860-8600	Resource, Inc	10013	State formula placement and referral services	49,037	A7-1
0300-860-8600	HIRED	10009	Federal formula training counselor	16,977	A6-2
0600-860-8600	HIRED	10009	State formula training counselor	37,789	A7-2
0300-860-8600	Greater Minneapolis Day Care Association	10017	Federal day care services	9,900	A6-1
0600-860-8600	Greater Minneapolis Day Care Association	10017	State day care services	22,146	A7-1

Adopted. Yeas, 12; Nays none.  
 Absent – Goodman.  
 Passed June 12, 1998.  
 Approved June 18, 1998. S. Sayles Belton, Mayor.  
 Attest: M. Keefe, City Clerk.  
 (Portion republished August 8, 1998)

**W&M/Budget** – Your Committee recommends that the proper City officers be authorized to execute an agreement with the Minnesota Department of Economic Security to receive the following funding: a) Job Training Partnership Act (JTPA) 2A, in the amount of \$630,757; b) JTPA



(8%), for vocational education, in the amount of \$36,814; c) JTPA (5%), for capacity building/training, in the amount of \$8,435; and d) JTPA (5%), for older workers, in the amount of \$50,919.

Your Committee further recommends that the proper City officers be authorized to execute a contract with the following agencies for the period from July 1, 1998 through June 30, 1999, for adult placement/retention and referral to training:

<b>Fund</b>	<b>Agency</b>	<b>Amount</b>
0300-860-8600	Resident Management Corporation	\$28,382
0400-860-8600	Resident Management Corporation	25,168
0300-860-8600	Women Venture	21,730
0400-860-8600	Women Venture	19,270
0300-860-8600	Southeast Asian Refugee Community Home	22,578
0400-860-8600	Southeast Asian Refugee Community Home	20,022

Your Committee further recommends that the proper City officers be authorized to issue Fund Availability Notices (FANs) to the following agencies, for the period from July 1, 1998 through June 30, 1999, for adult placement/retention and referral to training:

<b>Fund</b>	<b>Agency</b>	<b>Master Contract</b>	<b>Amount</b>	<b>FAN #</b>
0300-860-8600	Minneapolis Urban League (MUL)	10001	\$43,547	86-2
0300-860-8600	MUL	10001	59,070	A0-1
0400-860-8600	MUL	10001	52,383	B0-1
0300-860-8600	Summit Academy Opportunities Industrialization Center (SAOIC)	10004	42,400	A0-1
0400-860-8600	SAOIC	10004	37,600	B0-1
0300-860-8600	Hmong American Mutual Asst Program (HAMAP)	10018	74,200	A0-1
0400-860-8600	HAMAP	10018	65,800	B0-1
0300-860-8600	HIRED	10009	53,000	A0-1
0400-860-8600	HIRED	10009	47,000	B0-1
0300-860-8600	East Side Neighborhood Services (ESNS)	10002	23,850	A0-1
0400-860-8600	ESNS	10002	21,150	B0-1
0300-860-8600	Phillips Community Development Corporation (PCDC)	10003	7,950	A0-1
0400-860-8600	PCDC	10003	7,050	B0-1
0300-860-8600	Loring Nicollet Bethlehem Center (LNBC)	10008	15,900	A0-1
0400-860-8600	LNBC	10008	14,100	B0-1
0300-860-8600	Anishinabe Council of Job Developers (ACJD)	10010	5,300	A0-1
0400-860-8600	ACJD	10010	4,700	B0-1
0300-860-8600	Pillsbury Neighborhood Services (PNS), Inc.	10007	45,050	A0-1

0400-860-8600	PNS, Inc.	10007	39,950	B0-1
0300-860-8600	Resource, Inc.	10013	33,496	A0-1
0400-860-8600	Resource, Inc.	10013	29,704	B0-2

Your Committee further recommends that the proper City officers be authorized to issue the following Fund Availability Notices (FANs) for the period from July 1, 1998 through June 30, 1999 for older worker services:

<b>Fund #</b>	<b>Agency</b>	<b>Master Contract</b>	<b>Amount</b>	<b>FAN #</b>
0300-860-8600	ESNS	10002	25,000	A2-1
0400-860-8600	ESNS	10002	5,000	B0-2
0300-860-8600	Resource, Inc.	10013	25,000	A2-1
0400-860-8600	Resource, Inc.	10013	5,000	B0-3

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Portion republished August 8, 1998)

**W&M/Budget** – Your Committee recommends acceptance of Minnesota Youth Program (MYP) funds from the Minnesota Department of Economic Security, to provide school-to-career services to at-risk youth and to support the Summer Youth Employment and Training Program, in the amount of \$298,689.

Your Committee further recommends acceptance of Job Training Partnership Act (JTPA) 2C funds to provide school-to-career services to at-risk youth, in the amount of \$87,606.

Your Committee further recommends that the proper City officers be authorized to issue Fund Availability Notices (FANs) to the following agencies, to provide school-to-career services to at-risk youth, for the period from July 1, 1998 through June 30, 1999, with issuance of a FAN to Loring Nicollet Bethlehem Community Centers (LNBCC), to be contingent upon their receiving a passing grade for the final quarter of the current program year:

<b>Fund</b>	<b>Agency</b>	<b>Master Contract #</b>	<b>Amount</b>	<b>FAN #</b>
0400-860-8600	HIRED	10009	\$25,000	B0-2
0300-860-8600	HIRED	10009	87,606	A5-1
0600-860-8600	Resource, Inc.	10013	47,500	92-2
0400-860-8600	Resource, Inc.	10013	46,250	B0-1
0600-860-8600	LNBCC	10008	25,000	92-5
0400-860-8600	LNBCC	10008	25,000	B0-2
0600-860-8600	Minneapolis Urban League	10001	47,500	92-2
0400-860-8600	Minneapolis Urban League	10001	46,250	B0-2
0600-860-8600	Pillsbury Neighborhood Services	10007	47,500	92-2
0400-860-8600	Pillsbury Neighborhood Services	10007	46,250	B0-2
0600-860-8600	American Indian OIC	10021	26,250	92-2
0400-860-8600	American Indian OIC	10021	26,250	B0-1

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.  
 Approved June 18, 1998. S. Sayles Belton, Mayor.  
 Attest: M. Keefe, City Clerk.

**W&M/Budget** – Your Committee recommends acceptance of Job Training Partnership Act (JTPA) 2B funds from the Minnesota Department of Economic Security for the Summer Youth Employment and Training Program.

Your Committee further recommends that the proper City officers be authorized to issue the following Fund Availability Notice (FAN) to Loring Nicollet Bethlehem Community Centers (LNBCC), to provide educational/academic enrichment services to youth enrolled in the Summer Youth Employment and Training Program, for the period from April 1, 1998 through September 30, 1998:

<b>Fund</b>	<b>Agency</b>	<b>Master Contract #</b>	<b>Purpose</b>	<b>Amount</b>	<b>FAN #</b>
0300-860-8600	LNBCC, Inc	10008	Summer Youth	\$59,500	A4-1

Adopted. Yeas, 12; Nays none.  
 Absent – Goodman.  
 Passed June 12, 1998.  
 Approved June 18, 1998. S. Sayles Belton, Mayor.  
 Attest: M. Keefe, City Clerk.

**W&M/Budget** – Your Committee recommends that the proper City officers be authorized to issue the following Fund Availability Notice (FAN) to the Minnesota Department of Economic Security (MDES) for activities relating to the Summer Youth Employment and Training Program, for the period from April 1, 1998 through September 30, 1998:

<b>Fund</b>	<b>Agency</b>	<b>Master Contract #</b>	<b>Purpose</b>	<b>Amount</b>	<b>FAN #</b>
0300-860-8600	MDES	10014	Summer Youth	\$45,000	A4-1

Adopted. Yeas, 12; Nays none.  
 Absent – Goodman.  
 Passed June 12, 1998.  
 Approved June 18, 1998. S. Sayles Belton, Mayor.  
 Attest: M. Keefe, City Clerk.

**W&M/Budget** – Your Committee recommends that the proper City officers be authorized to issue the following Fund Availability Notices (FANs) to HIRED to provide staffing for the Northside Workforce Center Resource Room, for the period from July 1, 1998 through June 30, 1999:

<b>Fund</b>	<b>Agency</b>	<b>Master Contract #</b>	<b>Purpose</b>	<b>Amount</b>	<b>FAN #</b>
0400-860-8600	HIRED	10009	Staffing for Resource Room	\$25,000	B0-3
0300-860-8600	HIRED	10009	Staffing for Resource Room	20,000	B1-1

Adopted. Yeas, 12; Nays none.  
 Absent – Goodman.

Passed June 12, 1998.  
 Approved June 18, 1998. S. Sayles Belton, Mayor.  
 Attest: M. Keefe, City Clerk.

**W&M/Budget** – Your Committee recommends that the proper City officers be authorized to issue the following Fund Availability Notice (FAN) to Special School District (SSD) #1 to provide coordination and support services to high school students enrolled in summer school-to-career internships, for the period from June 1, 1998 through September 30, 1998:

<b>Fund</b>	<b>Agency</b>	<b>Master Contract #</b>	<b>Purpose</b>	<b>Amount</b>	<b>FAN #</b>
0400-860-8600	SSD #1	10019	School-to Career summer internships	\$23,174	32-2

Adopted. Yeas, 12; Nays none.  
 Absent – Goodman.  
 Passed June 12, 1998.  
 Approved June 18, 1998. S. Sayles Belton, Mayor.  
 Attest: M. Keefe, City Clerk.

**W&M/Budget** – Your Committee recommends that the proper City officers be authorized to issue the following Fund Availability Notices (FANs) to Greater Minneapolis Day Care Association (GMDCA) to provide day care services to low-income residents and for facility improvements, for the period from June 1, 1998 through May 31, 1999:

<b>Fund</b>	<b>Agency</b>	<b>Master Contract #</b>	<b>Purpose</b>	<b>Amount</b>	<b>FAN #</b>
0400-860-8605	GMDCA	10017	Renovation	\$438,279	Z2-1
0400-860-8605	GMDCA	10017	Sliding Fee	\$552,250	Z2-2

Adopted. Yeas, 12; Nays none.  
 Absent – Goodman.  
 Passed June 12, 1998.  
 Approved June 18, 1998. S. Sayles Belton, Mayor.  
 Attest: M. Keefe, City Clerk.

**W&M/Budget** – Your Committee recommends passage of the accompanying amendment to the **Salary Ordinance** setting the salary for the position of Director, Equipment Services Division, based on studies conducted by the Department of Human Resources.

Adopted. Yeas, 12; Nays none.  
 Absent – Goodman.  
 Passed June 12, 1998.  
 Approved June 18, 1998. S. Sayles Belton, Mayor.  
 Attest: M. Keefe, City Clerk.

**ORDINANCE 98-Or-052**  
**By Campbell**  
**1st & 2nd Readings: 6/12/98**

**Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Bi-Weekly Rates)

**Public Works Engineers' Association  
Effective – August 12, 1997**

FLSA	OTC	CLASSIFICATION	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step
ADD:								
E	1	Director, Equipment Services Division	\$2522	2654	2797	2949	3110	3277

Adopted. Yeas, 12; Nays none.  
Absent – Goodman.  
Passed June 12, 1998. J. Cherryhomes, President of Council.  
Approved June 18, 1998. S. Sayles Belton, Mayor.  
Attest: M. Keefe, City Clerk.

**W&M/Budget** – Your Committee recommends passage of the accompanying amendment to the **Salary Ordinance** setting the salary for the position of Manager, Lead Program, based on studies conducted by the Department of Human Resources.

Adopted. Yeas, 12; Nays none.  
Absent – Goodman.  
Passed June 12, 1998.  
Approved June 18, 1998. S. Sayles Belton, Mayor.  
Attest: M. Keefe, City Clerk.

**ORDINANCE 98-Or-053  
By Campbell  
1st & 2nd Readings: 6/12/98**

**Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to  
Administration: Personnel.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Bi-Weekly Rates)

**Non-Represented (CNR)  
Effective – September 30, 1997**

FLSA	OTC	CLASSIFICATION	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
ADD:									
E	4	Manager, Lead Program	\$1656	1739	1825	1917	2013	2113	2219

Section 2 That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Bi-Weekly Rates)

**Non-Represented (CNR)  
Effective – January 1, 1998**

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<b>FLSA</b>	<b>OTC</b>	<b>CLASSIFICATION</b>	<b>1st Step</b>	<b>2nd Step</b>	<b>3rd Step</b>	<b>4th Step</b>	<b>5th Step</b>	<b>6th Step</b>	<b>7th Step</b>
ADD:									
E	4	Manager, Lead Program	\$1697	1782	1871	1965	2063	2166	2274

Section 3. That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Bi-Weekly Rates)

**Non-Represented (CNR)**  
**Effective – January 1, 1999**

<b>FLSA</b>	<b>OTC</b>	<b>CLASSIFICATION</b>	<b>1st Step</b>	<b>2nd Step</b>	<b>3rd Step</b>	<b>4th Step</b>	<b>5th Step</b>	<b>6th Step</b>	<b>7th Step</b>
ADD:									
E	4	Manager, Lead Program	\$1739	1827	1918	2014	2115	2220	2331

Section 4. That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Bi-Weekly Rates)

**Non-Represented (CNR)**  
**Effective – January 1, 2000**

<b>FLSA</b>	<b>OTC</b>	<b>CLASSIFICATION</b>	<b>1st Step</b>	<b>2nd Step</b>	<b>3rd Step</b>	<b>4th Step</b>	<b>5th Step</b>	<b>6th Step</b>	<b>7th Step</b>
ADD:									
E	4	Manager, Lead Program	\$1782	1873	1966	2064	2168	2276	2389

**Non-Represented (CNR)**  
**\*Effective – January 1, 2000 (b)**

<b>FLSA</b>	<b>OTC</b>	<b>CLASSIFICATION</b>	<b>1st Step</b>	<b>2nd Step</b>	<b>3rd Step</b>	<b>4th Step</b>	<b>5th Step</b>	<b>6th Step</b>	<b>7th Step</b>
ADD:									
E	4	Manager, Lead Program	\$1791	1882	1976	2074	2178	2287	2401

\*Schedule (b) above shall be in effect should the City's general fund revenue increase more than 3% for the year 2000 over the 1999 general fund revenue.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998. J. Cherryhomes, President of Council

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** – Your Committee recommends passage of the accompanying amendment to the **Salary Ordinance** setting the salary for the position of Program Aide II, based on studies conducted by the Department of Human Resources.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**ORDINANCE 98-Or-054**  
**By Campbell**  
**1st & 2nd Readings: 6/12/98**

**Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Bi-Weekly Rates)

**AFSCME, Local 9, Clerical & Technical (CAF)**  
**Effective – January 1, 1998**

FLSA	OTC	CLASSIFICATION	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
ADD:									
N	3	Program Aide II	\$1144	1201	1261	1324	1390	1459	1532

Section 2. That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Bi-Weekly Rates)

**AFSCME, Local 9, Clerical & Technical (CAF)**  
**Effective – January 1, 1999**

FLSA	OTC	CLASSIFICATION	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
ADD:									
N	3	Program Aide II	\$1173	1231	1293	1357	1425	1495	1570

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998. J. Cherryhomes, President of Council.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **ZONING & PLANNING** Committee submitted the following reports:

**Z&P** – Your Committee, to whom was referred an ordinance amending Title 21 of the Minneapolis Code of Ordinances relating to Interim Ordinances, adding a new Chapter 581 relating to a Moratorium on expansion or establishment of tobacco shops and tobacco related establishments in the B2, B2S, B3, B3S and B3C Business Districts, now recommends that the related findings set forth in Petn No 263866 be adopted and that said ordinance be given its second reading for amendment and passage.

McDonald moved that the report be amended by adding the following paragraph:

“Your Committee further recommends summary publication of the above-described ordinance.” Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 11; Nays, 1 as follows:

Yeas – Colvin Roy, Herron, Mead, McDonald, Johnson, Thurber, Ostrow, Campbell, Biernat, Niland, Cherryhomes.

Nays – Minn.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton,  
Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 98-Or-055 amending Title 21 of the Minneapolis Code of Ordinances relating to Interim Ordinances, adding a new Chapter 581 providing for a one year moratorium on expansion or establishment of tobacco shops and tobacco related establishments in the B2, B2S, B3, B3S and B3C business districts, extendable for 18 months, was passed June 12, 1998 by the City Council and approved June 18, 1998 by the Mayor. The ordinance addresses the Council's concern about the availability of tobacco products to youth in proximity to schools, churches, parks and day care facilities and the potential health problems resulting from smoking. The ordinance establishes an interim study area in said business districts with respect to conversion, expansion or establishment of any business establishments for which tobacco related sales comprise 40% of total gross receipts; and further directs staff to begin the study to propose amendments to the Comprehensive Plan and zoning controls. The ordinance includes a hardship clause.

The full text of the ordinance is available for inspection in the Office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**ORDINANCE 98-Or-055**

**By Ostrow**

**Intro & 1st Reading: 4/24/98**

**Ref to: Z&P**

**Public Hearing: 6/2/98**

**2nd Reading: 6/12/98**

**Amending Title 21 of the Minneapolis Code of Ordinances by adding a new Chapter 581 relating to Interim Ordinances: Moratorium on expansion or establishment of tobacco shops and tobacco related establishments in the B2, B2S, B3, B3S and B3C Business Districts.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That the Minneapolis Code of Ordinances be amended by adding thereto a new Chapter 581 to read as follows:

**CHAPTER 581. PROVIDING FOR A MORATORIUM ON EXPANSION OR ESTABLISHMENT OF TOBACCO SHOPS AND TOBACCO RELATED ESTABLISHMENTS IN THE B2, B2S, B3, B3S AND B3C BUSINESS DISTRICTS**

**581.10. Authority.** Pursuant to Minnesota Statutes Section 462.355, Subd. 4, the city is authorized to establish interim ordinances to regulate, restrict or prohibit any use or development in all or a part of the city while the city or its planning department is conducting studies, or has authorized a study to be conducted, or has scheduled a hearing to consider adoption or amendment of the comprehensive plan or official zoning controls. In furtherance of this statutory authority, the city has enacted Section 534.470 of the zoning code that governs the establishment of interim ordinances. The city declares that this interim ordinance is established pursuant to the aforementioned statute and city ordinance.

**581.20. Findings and purpose.** The City of Minneapolis is conducting a comprehensive revision of its zoning code and commercial zoning district regulations. One of the major goals of the revision is to minimize land use conflicts, particularly near fragile residential neighborhoods and to promote home ownership, maintenance and investment in residential property, and to preserve the city as a desirable place in which to live, to work and to visit.

The city council is concerned about the proximity of tobacco shops to sensitive uses such as schools, churches, parks, and day care facilities. Smoking has been shown to cause a great number of health problems. For the vast majority of smokers, the habit of smoking becomes established before they are legally adults. Because there may be a correlation between proximity to tobacco-related establishments and the availability of tobacco products to youth, the city is examining the location of tobacco-related establishments with respect to sites that are central gathering places or traffic routes of youth.

The city is concerned with the impact of tobacco marketing on youth. The city is considering design and signage standards of



tobacco-related establishments in order to minimize the degree to which youth are subjected to tobacco-related advertising. The city is concerned that the existence of tobacco shops in some locations may have an adverse effect on property values.

The licensing department of the City of Minneapolis is in the process of amending the ordinance that regulates tobacco-related establishments in the City of Minneapolis. The final form of the amended ordinance has not yet been established. Appropriate zoning restrictions on tobacco-related establishments may depend on the provisions of the amended ordinance or vice versa. Changes to both ordinances should be considered together and in light of the findings of this study in order that a consistent city policy with rational implementation measures may result.

As a result of the important land use, zoning and regulatory issues cited above, the city, through its planning department, will conduct studies to consider possible amendments to the comprehensive plan or official zoning controls to address issues related to the impact of tobacco-related establishments. The city finds that this interim ordinance should be adopted to protect the planning process and the health, safety, and welfare of the citizens.

**581.30. Zoning study.** The B2, B2S, B3, B3S and B3C zoning districts are hereby declared to be an interim zoning study area with respect to conversion, expansion or establishment of any business establishments for which tobacco-related sales comprise forty (40) percent of total gross receipts. The planning department is directed to commence a study to propose such amendments to the comprehensive plan or official zoning controls that the planning department deems necessary.

**581.40. Restrictions.** For a period of one (1) year from the date of final approval of this ordinance, no building, construction, or demolition permit or license shall be allowed or granted by any city department for the establishment of any tobacco shop or other establishment for which tobacco-related sales comprise forty (40) percent of total gross receipts. The city specifically reserves the right to extend this ordinance for such additional periods as are necessary to complete a planning study, not exceeding a total additional period of eighteen (18) months.

**581.50. Hardship.** In cases of hardship, any person aggrieved by the requirements of this ordinance may apply to the city council for a waiver for all or a portion of the applicable restrictions. Such application shall be made to the zoning administrator who will forward the request to the appropriate committee of the city council. A waiver may be granted where the city council finds that the waiver will not affect the integrity of the planning process and that the purposes for which the ordinance is enacted will be served by the waiver.

Adopted. Yeas, 11; Nays, 1 as follows:

Yeas - Colvin Roy, Herron, Mead, McDonald, Johnson, Thurber, Ostrow, Campbell, Biernat, Niland, Cherryhomes.

Nays - Minn.

Absent - Goodman.

Passed June 12, 1998. J. Cherryhomes, President of Council.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M Keefe, City Clerk.

**Z&P – Your Committee,** having under consideration the Mayor's reappointment of Timothy Baylor, 1302 Douglas Av (Ward 7), and Judith Martin, 14 Grove St (Ward 5), to the Planning Commission for two year terms to expire January 31, 2000, in accordance with Chapter 13, Section 1 of the City Charter, and having conducted a public hearing thereon pursuant to Council Rule 19, now recommends approval of said reappointments. (Petr No 263864)

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**Z&P – Your Committee,** having under consideration the appeal of Chris Steller and Dennis Nustad from the decision of the Heritage Preservation Commission (HPC) to grant a building permit with conditions to Rottlund Homes for a townhome development at 301-330 River Street in the St Anthony Falls Historic District, and having conducted a public hearing thereon, now recommends that said appeal be denied. (Petr No 263862)

Your Committee further recommends that the Findings of the HPC and the HPC staff on the Rottlund Home development be adopted.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**Z&P** – Your Committee recommends that the Transportation Management Plan submitted by SRF Consulting Group, Inc for the Brave New Workshop live theater in Calhoun Square at 1323 W Lake St, as set forth in Petn No 263863, be approved.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**Z&P** – Your Committee recommends concurrence in the recommendation of the review committee established pursuant to Section 34.10 of the Minneapolis Code of Ordinances to reappoint Robert Roscoe, 1401 E River Parkway (Ward 2), Tom Holman, 6016 Knox Av S (Ward 13), and Kelley Lindquist, 38 Park Lane (Ward 7), to the Heritage Preservation Commission for three year terms to expire June 1, 2001. (Petn No 263866)

Campbell moved that the report be divided and the reappointment of Robert Roscoe be acted upon separately. Seconded.

Adopted upon a voice vote.

The balance of the report was adopted.

Yeas, 12; Nays, none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**Z&P** – Your Committee recommends concurrence in the recommendation of the review committee established pursuant to Section 34.10 of the Minneapolis Code of Ordinances to reappoint Robert Roscoe, 1401 E River Parkway (Ward 2), to the Heritage Preservation Commission for a three year term to expire June 1, 2001. (Petn No 263866)

Adopted. Yeas, 9; Nays, 3 as follows:

Yeas – Colvin Roy, Herron, Mead, Minn, McDonald, Thurber, Ostrow, Biernat, Niland.

Nays – Johnson, Campbell, Cherryhomes.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**Z&P** – Your Committee recommends passage of the accompanying resolution amending Resolution No 97R-178 entitled “Vacating an alley in the block bounded by 16th Avenue North, 15th Avenue North, Washington Avenue North, and 2nd Street North” and passed June 27, 1997, to correct a clerical error.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

## **RESOLUTION 98R-210** **By McDonald**

**Amending Resolution No 97R-178 entitled “Vacating an alley in the block bounded by 16th Avenue North, 15th Avenue North, Washington Avenue North, and 2nd Street North”, passed June 27, 1997.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution be amended by deleting “Block 11” and inserting in lieu thereof “Block 22”.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998. J. Cherryhomes, President of Council.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**Z&P** – Your Committee recommends granting the following applications for special permits, notwithstanding the Zoning Code:

a) Thomas Greene: Application to put one to two soft-drink/liquor inflatable signs on the Basilica Block Party grounds at 88 N 17th St during the July 10 and 11, 1998 event (#1998-074);

b) Lanmark, Inc: Application to refurbish two existing monument signs at 3033 Excelsior Boulevard and remove one existing sign, with the Burnet sign to have a spotlight (#1998-082); and

c) Visitation Monastery: Application to use a single family house at 1619 Girard Av N to house more than three unrelated adults in order to expand the monastery (#1998-083).

Adopted. Yeas, 11; Nays none:

Declining to Vote – Ostrow.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**Z&P** – Your Committee, having under consideration the application of Charles Crowley for a special permit to allow Central Care for Children to temporarily locate into the Central Lutheran Church at 333 South 12th Street until approximately October 1998, to continue to operate as a licensed daycare facility for up to 68 children, due to demolition of their current housing to permit Convention Center completion, now recommends approval of the permit and waiver of the application fee (#1998-121) (Petr No 263861).

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**Z&P** – Your Committee, having under consideration the appeals of Cash-N-Pawn and Hotel Furniture Liquidators from the decision of the Planning Commission denying Cash-N-Pawn's application for a conditional use permit to allow a pawn shop at 2726 E Lake St (C-1887), and having conducted a public hearing thereon, now recommends that said appeals be granted in accordance with the Findings of Fact on file in the Office of the City Clerk and made a part of this report by reference. (Petr No 263865)

Council Member Thurber moved that the matter of the conditional use permit (CUP) application for Cash-N-Pawn (C-1887) for 2726 E Lake St be referred back to the Planning Commission in order to permit the Planning Commission to develop the facts for findings and recommendations on the issue of whether the application meets the zoning code standards for issuance of a CUP. Seconded.

Adopted. Yeas, 9; Nays, 3 as follows:

Yeas – Colvin Roy, Herron, Mead, Thurber, Ostrow, Campbell, Biernat, Niland, Cherryhomes.

Nays – Minn, McDonald, Johnson.

Absent – Goodman.

**Z&P** – Your Committee, to whom was referred the subject matter of an ordinance amending Title 21, Interim Ordinances, to provide for an interim ordinance on the expansion, establishment, alteration or reopening of any gas station or auto combination convenience facility in the B3 zoning districts, now recommends that the text of the subject matter be amended by deleting the words "expansion" and "alteration".

Your Committee further recommends that an exception list be included in the text of the ordinance.

McDonald moved that the report be amended by deleting the last paragraph. Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

### Motions

Ostrow, Chair of the Claims Committee, moved concurrence in the reports received from the City Attorney (Petr No 263867) recommending payment of workers' compensation to various employees and to the State Fund, and for payment of bills and professional services rendered claimants or employees injured on the job. Seconded.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton,  
Mayor.

Attest: M. Keefe, City Clerk.

Campbell, Chair of the Ways & Means/  
Budget Committee, moved that the regular  
payrolls for all City employees under City

Council jurisdiction for the month of July  
1998 be approved and ordered paid subject to  
audit by the Finance Officer. Seconded.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton,  
Mayor.

Attest: M. Keefe, City Clerk.

Herron moved to waive the 14-day filing  
time as required by Chapter 455 of the  
Minneapolis Code of Ordinances for Central  
Neighborhood Improvement Association for a  
residential block event to be held May 23,  
1998, between the hours of noon and 4:00 p.m.  
on Clinton Avenue South between 36th and  
37th Streets, having approval granted by Public  
Works and the Police departments to grant said  
waiver. Seconded.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton,  
Mayor.

Attest: M. Keefe, City Clerk.

McDonald moved to waive the 14-day filing  
time as required by Chapter 455 of the  
Minneapolis Code of Ordinances for applicant  
Jayn Lindquist for a residential block event to  
be held June 13, 1998, between the hours of 3  
PM and 9 PM on West 33rd Street between  
Garfield and Harriet Avenues South, having  
approval granted by the Public Works and  
Police departments to grant said waiver.  
Seconded.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton,  
Mayor.

Attest: M. Keefe, City Clerk.

Johnson moved to waive the 60-day filing  
time as required by Chapter 447 of the  
Minneapolis Code of Ordinances for applicant  
Barbara Still for a parade application for  
Showboat Days on July 9, 1998. Seconded.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton,  
Mayor.

Attest: M. Keefe, City Clerk.

McDonald moved to waive the 30-day filing  
time as required by Chapter 455 of the  
Minneapolis Code of Ordinances for applicant  
Connie Ryan, Peterson Milla Hooks  
Advertising, 1315 Harmon Place, for a  
business district block event to be held June  
26, 1998, between the hours of 6:00 p.m. and  
10:30 p.m. in an alley between 13th Street to  
14th Street, subject to approval being granted  
by the Public Works and Police departments to  
grant said waiver. Seconded.

Adopted. Yeas, 12; Nays none.

Absent – Goodman.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton,  
Mayor.

Attest: M. Keefe, City Clerk.

Minn moved to introduce the subject matter  
of an ordinance amending Title 20 of the  
Zoning Code relating to access to commercial  
property from residential property, which was  
referred to the Zoning & Planning Committee for  
referral to the Planning Commission for a public  
hearing.

### **Unfinished Business**

Raze Building: 3044 10th Av South  
(Postponed 3/27/98, PS&RS).

Herron moved to continue postponement.  
Seconded.

Adopted upon a voice vote.

Robert Muir Company (Calhoun  
Commons): Passage of Resolution vacating  
streets to permit a shopping center at Excelsior  
Boulevard & West Lake St. (9 votes)  
(Postponed 4/24/98, Z&P).

Minn moved to continue postponement.  
Seconded.

Adopted upon a voice vote.

**T&PW & W&M/Budget** – Your Committee, having received a report from the Public Works Department concerning assessment policies and procedures for street construction and related work, now recommends that the assessment rate for Residential – Other streets (state, county or Minnesota State Aid routes) be changed from the current rate of zero to the same as the assessment rate for Residential – Local streets, with the presumption that the Residential – Other streets will not need renovation any more frequently than the Residential – Local streets.

Colvin Roy moved to substitute the following report for the above report. Seconded. Adopted upon a voice vote.

**T&PW & W&M/Budget** – Your Committee, having received a report from the Public Works Department concerning assessment policies and procedures for street construction and related work, now recommends that the assessment rate for Residential – Other streets (state, county or Minnesota State Aid routes) be changed from the current rate of zero to 80% of the assessment rate for Residential – Local streets.

Your Committee further directs staff to develop a reconstruction program which addresses the goal of the City Council that Residential - Other streets not be renovated any more frequently than the Residential - Local streets.

Adopted. Yeas, 10; Nays, 1 as follows.

Yeas– Colvin Roy, Herron, Mead, Johnson, Thurber, Ostrow, Campbell, Biernat, Niland, Cherryhomes.

Nays – Minn.

Absent – Goodman, McDonald.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Adopted. Yeas, 11; Nays none.

Absent – Goodman, McDonald.

Passed June 12, 1998.

Approved June 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

### **New Business**

Mead offered an Ordinance amending Title 18, Chapter 478 of the Minneapolis Code of Ordinances relating to *Traffic Code: Parking, Stopping and Standing*, which was given its first reading and referred to the Transportation & Public Works Committee for a public hearing to be held June 18, 1998, at 10:30 a.m. (To reduce the process time for establishment and modification of a Critical Parking Area).

Campbell moved that when this Council adjourns, it adjourns to Friday, June 19, 1998, at 10:30 a.m. in Room 315 for a closed session to consider expanded certification for Minneapolis Police Department Sergeants and to conduct any other business deemed necessary at that time, and that such meeting be and is hereby declared to be an adjourned session of the regular meeting of June 12, 1998. Seconded.

Adopted. Yeas, 11; Nays none.

Absent – Goodman, McDonald.

Adjourned.

Merry Keefe,  
City Clerk.  
98-5531

**W&M/Budget** – Your Committee recommends that the Consolidated Plan and related Community Development Block Grant (CDBG) documents from the Community Development Committee shall be considered as policy and advisory matters only and that final mark-up and adoption of the plan and said related CDBG documents will be adopted at the Ways & Means/Budget Committee as part of the 1998-1999 budget process.